

“there’s groups of men... they’re clearly targeting children in care. And I think it’s only the tip of the iceberg what I’m seeing with my own eyes.”

PROTECTING AGAINST PREDATORS

A Scoping Study on the Sexual Exploitation
of Children and Young People in Ireland

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Community
Foundation
Ireland

“It [the sexual exploitation of children] was far more prevalent when we started the conversation amongst ourselves yesterday. We said, ‘Oh, my God—’ Like, we thought we might know one or two, but there’s twelve there now that I have listed and that’s just from brief conversations with my six colleagues, like. ... all of my colleagues were saying the same thing. This is certainly something that needs to be looked at deeper. We’re only touching the surface here.” (I/V12)¹

¹ Canning, M., Keenan, M. and Breslin, R. (2023) *Protecting Against Predators: A Scoping Study on the Sexual Exploitation of Children and Young People in Ireland*, p.41. Dublin: SERP.

Contents

Acknowledgements	iv
About SERP	v
1. Introduction	1
• 1.1 Introduction	1
• 1.2 Previous literature on the sexual exploitation of children	1
• 1.3 Methodology	3
• 1.4 Outline of the report	3
2. Literature Review	5
• 2.1 Introduction	5
• 2.2 The complex nature of sexual exploitation	6
• 2.3 Blurred definitions - sexual exploitation and sexual abuse of children	7
• 2.4 Different forms of sexual exploitation of children	10
• 2.5 Risk factors associated with the sexual exploitation of children	20
• 2.6 Conclusions	24
3. Methodology	26
• 3.1 Introduction	26
• 3.2 Nature of interviews and selection of interview participants	26
• 3.3 Data analysis	29
• 3.4 Conclusions	29
4. The Findings	31
• 4.1 Introduction	31
• 4.2 The contexts in which sexual exploitation is occurring	31
• 4.3 Recognising sexual exploitation and the extent of the problem	39
• 4.4 Discomfort in speaking about sexual exploitation	41
• 4.5 'Difficult' victimhood and agency in sexual exploitation	43
• 4.6 Forms of sexual exploitation of children and young people	46
• 4.7 The perceived level of organisation of sexual exploitation	52
• 4.8 Substance misuse intertwined with sexual exploitation	53
• 4.9 An Garda Síochána and Tusla response to evidence of sexual exploitation	54
• 4.10 Conclusions	57
5. Study Conclusions and Recommendations	59
• 5.1 Introduction	59
• 5.2 Study conclusions	59
• 5.3 Recommendations	61
References	66
Appendices	78

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Mary, Marie and Ruth

About SERP

The Sexual Exploitation Research Programme (SERP) was established in 2017 in the School of Social Policy, Social Work and Social Justice at University College Dublin. In 2020, SERP joined UCD's Geary Institute for Public Policy.

SERP is the leading research programme in Ireland on commercial sexual exploitation. SERP conducts feminist research on all forms of commercial sexual exploitation that influences academic discourse and creates useful knowledge for law and policy makers, practitioners, survivors, supporters and activists. SERP aims to strengthen the evidence base on current and emerging issues of sexual exploitation in Ireland, and beyond. Our work is designed to enhance understanding of the commercial sex trade, its impact on women and girls who are sexually exploited, on communities and on society at large.

The SERP team has decades of experience researching and writing about prostitution and sex trafficking, and members are often called upon to give evidence to public/State inquiries on these issues in Ireland and other jurisdictions. SERP's work seeks to generate new evidence and contribute to new knowledge building through peer reviewed academic publications and to bridge the gap between academia and frontline practice in generating insights and solutions on these issues.

1. Introduction

1.1 Introduction

The sexual exploitation of children² is a profoundly damaging human rights violation that has serious, immediate and long-term physical, mental, emotional and social health consequences for the victims.³ Yet according to Beckett and Pearce (2018) there is ‘a continuing societal discomfort around accepting that the sexual exploitation of children can affect any child and, as such is a problem that affects all of us’.⁴ This scoping study seeks to confront this discomfort by gleaning insights into the issue of the sexual exploitation of children and young people in Ireland.

1.2 Previous literature on the sexual exploitation of children

In Section 2 of this report, a review of the complexity surrounding the issue of the sexual exploitation of children that has led to a proliferation of contested and blurred definitions of the sexual exploitation of children, is presented. For example, drawing on the Istanbul Convention⁵, relevant international⁶ and national⁷ legal standards, the Rape Crisis Network of Ireland (RCNI) defines the sexual exploitation of children quite broadly as ‘exploit[ing] the vulnerability and developmental maturity of a child’ and involves ‘inviting, inducing or coercing a child to engage in or to observe sexual acts, where there is an element of exchange and imbalance of control/power’.⁸ Similar to the Department for Education⁹ in the UK, the RCNI stresses that the sexual exploitation of children ‘includes threats to withhold or deny something the child wants or needs’ and exchange is ‘not limited to tangible items such as money [but] can also include denial or promise of affection or freedom’.¹⁰ The sexual exploitation of children has also been described

2 In this report, the term ‘children’ is used in its broadest sense as many young people do not identify themselves as children but instead as young adults. A child is defined as any person under the age of 18 in accordance with the UN Convention on the Rights of the Child (UNCRC (1989) *UN General Assembly on the Convention on the Rights of the Child (UNCRC)* Available at: <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx> (accessed 12 January 2022)).

3 Mitchell *et al.* (2017) ‘Rethinking research on sexual exploitation of boys: Methodological challenges and recommendations to optimize future knowledge generation’, *Child Abuse & Neglect*, 66, pp. 142-151.

4 Beckett, H. and Pearce, J. (2018) ‘Introduction’ in Beckett, H. and Pearce, J. (eds.) *Understanding and Responding to Child Sexual Exploitation*. London: Routledge.

5 Council of Europe (2011) *Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*, CETS No.210, adopted Istanbul, 11 May 2014. Available at <https://rm.coe.int/168008482e> (accessed 12 January 2022).

6 Council of Europe (2007) *Convention on the protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention)*, (CETS No.201) adopted in Lanzarote, 25 October 2007. Available at: <https://rm.coe.int/1680084822> (accessed 12 January 2022); EU Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 (EU 2011a) *on combating the sexual abuse and sexual exploitation of children and child pornography (“Child Sexual Abuse Directive”)* replacing council Framework Decision 2004/68/JHA Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2011:335:TOC> (accessed 12 January 2022); UNCRC (1989) *op cit.*

7 Irish Statute Book (2017) *Criminal Law (Sexual Offences) Act, 2017*. Available at: <https://www.irishstatutebook.ie/eli/2017/act/2/enacted/en/html> (accessed 12 January 2022); Irish Statute Book (2008), *Criminal Law (Human Trafficking) Act 2008*. Available at <https://www.irishstatutebook.ie/eli/2008/act/8/enacted/en/html> (accessed 12 January 2022).

8 Rape Crisis Network of Ireland (RCNI) (2022) *Breaking the Silence: Terminology Guidelines for Data Collection on Sexual Violence Against Children*, January. p.30. Available at: <https://www.rcni.ie/wp-content/uploads/RCNI-Breaking-the-Silence-1.pdf> (accessed 27 October 2022).

9 Department for Education (2017) *Child sexual exploitation. Definition and guide for practitioners, local leaders and decision makers working to protect children from sexual exploitation*. London: DfE Available at: <https://www.gov.uk/government/publications/child-sexual-exploitation-definition-and-guide-for-practitioners> (accessed 12 January 2022).

10 RCNI (2022) *op cit.*, p.30.

as the ‘range of crimes and activities involving the sexual abuse or exploitation of a child for the financial benefit of any person or in exchange for anything of value (including monetary and non-monetary benefits) given or received by any person’.¹¹

While the sexual exploitation of children is seen as a complex issue that has proven difficult to define, some factors that are common to many of the definitions show that the sexual exploitation of children is a form of sexual abuse of a person under 18, where the young person is manipulated, coerced or deceived into sexual activity in return for something they want or need and to the advantage of the perpetrator. There is an imbalance of power between the perpetrator and the young person and it is important to stress that the sexual exploitation of children can happen even if the sexual activity appears consensual as many young people may not consider themselves victims, believing instead that they are in a ‘boyfriend/girlfriend’ relationship or are getting something tangible in return for performing the sexual activity. However, what must also be emphasised is that engaging in sexual activity with a person under 17 years (the age of sexual consent in Ireland) even if it appears consensual and involves no force or violence, is considered rape except in very specific circumstances as set out in the *Criminal Law (Sexual Offences) Act, 2017* because a child below the age of sexual consent cannot consent to sexual activity.¹²

The sexual exploitation of children can manifest itself in a variety of forms including through prostitution, online, in travel and tourism, through child or forced marriage, and in the trafficking of children for sexual exploitation.¹³ While online sexual exploitation can affect any child anywhere¹⁴, other forms of sexual exploitation appear to be associated with cohorts of children and young people whose life experiences make them more vulnerable including being in care, going ‘missing’ or running away from home or a care placement, intellectual disability, prior sexual abuse or neglect, alcohol and drug misuse, disengagement in education, low self-esteem, or peer introduction to exploitative older men.¹⁵ It is also considered important to recognise the intersection between the sexual exploitation of children and other forms of marginalisation as children can be further excluded from the ‘social mainstream’ which in turn can accentuate their structural and personal vulnerabilities to sexual exploitation and heighten their exposure to perpetrators. As a result, it is important to collect reliable and comprehensive data on the nature and scale of the

11 Office of Juvenile Justice and Delinquency Prevention (OJJDP) (2014) *Commercial Sexual Exploitation of Children and Sex Trafficking: A Literature Review*. Washington D.C.: Office of Juvenile Justice and Delinquency Prevention. Available at: <https://ojjdp.ojp.gov/mpg/literature-review/csec-sex-trafficking.pdf> (accessed 19 January 2022).

12 See Irish Statute Book (2017) *op cit.*, Section 17.

13 OJJDP (2014) *op cit.*, p.1; Global Initiative against Transnational Organized Crime (2021) *Exploitation in Plain Sight: An assessment of the commercial sexual exploitation of children in Western Balkans*. May. Geneva: Global Initiative against Transnational Organized Crime. Available at: <https://globalinitiative.net/wp-content/uploads/2021/05/Exploited-in-plain-sight-An-assessment-of-commercial-sexual-exploitation-of-children-and-child-protection-responses-in-the-Western-Balkans-GITOC.pdf> (accessed 19 January 2022).

14 Bailey, S. (2017) *Unite against child sexual exploitation*. Available at: <https://news.npc.police.uk/releases/cc-simon-bailey-blog-unite-against-child-sexual-exploitation> (accessed 26 April 2022); Davidson, J. and Gottschalk, P. (2011) ‘Characteristics of the Internet for criminal child sexual abuse by online groomers’, *Criminal Justice Studies*, 24(1), pp. 23-36; Pearce, J. (2018) ‘Private/ Public Bodies: ‘Normalised prevention’ of sexual violence against children’ in Beckett, H. and Pearce, J. (eds.) *Understanding and Responding to Child Sexual Exploitation*. London: Routledge, pp. 24-36.

15 Beckett, H. (2011) *Not a world away: The sexual exploitation of children and young people in Northern Ireland*. Belfast: Barnardo’s Northern Ireland, p.4; Franklin, A., Brown, S. and Brady, G. (2018) ‘The use of tools and checklists to assess the risk of child sexual exploitation: Lessons from UK practice’, *Journal of Child Sexual Abuse*, 27 (8), pp. 978-997; Department of Health & Human Services (DHHS) (2017) *Child sexual exploitation: A child protection guide for assessing, preventing and responding*. Victoria State Government: DHHS, p.10. Available at: <https://nla.gov.au/nla.obj-2900037875/view> (accessed 10 February 2022); Jay, A., Evans, M., Frank, I. and Sharpling, D. (2022) *Child sexual exploitation by organised networks [Online]. Independent Inquiry into Child Sexual Abuse*. February, UK: House of Commons, pp.27-29. Available at: <https://www.iicsa.org.uk/key-documents/28314/view/child-sexual-abuse-organised-networks-investigation-report-february-2022.pdf> (accessed 16 June 2022).

sexual exploitation of children in Ireland, which while challenging, can ensure professionals respond in an appropriate manner when dealing with victims of sexual exploitation. Therefore, this scoping study is a first step to inform this process by seeking to establish what is known about the sexual exploitation of children in Ireland.

1.3 Methodology

This study, as detailed in section 3, is designed to get a sense of the level of awareness of the sexual exploitation of children in its different forms amongst 21 key stakeholders from 14 agencies with diverse experience of working with, and representing, children across a variety of sectors including residential care, homelessness, education, social care, advocacy services and policing. It seeks to elicit from them their perceptions of the nature of, and the extent of the problem of sexual exploitation of children and young people, the contexts in which it occurs, as well as their opinions about whether it is currently being experienced by the cohort of children and young people with whom they interact. The study is qualitative in nature and adopts a reflective interviewing style whereby interviewees are given the space to talk about the issues surrounding the sexual exploitation of children that they have experiences of and deem important to them. In addition to the interviews referenced above, separate consultations were held with two senior members of the Garda National Protective Services Bureau (GNPSB)¹⁶ and ten staff members holding various senior positions in Tusla – the Child and Family Agency. The findings emerging from the research interviews were presented to them so that their responses to the issues could also be captured.

Clearly, this is not a prevalence study on the sexual exploitation of children in Ireland. Nor is it suggested that this study is representative of the experiences regarding the sexual exploitation of children of all professionals working with children in Ireland, or of the experiences of all the children they support. Rather, this research must be understood from the outset as a scoping study that takes an initial, and important, first step that is hoped will provide valuable insights into the sexual exploitation of children and young people in Ireland and can be used to make recommendations for policy and practice and also inform and develop larger, more broad-based research studies.

1.4 Outline of the report

The remainder of the report is structured as follows. Section 2 examines the previous literature in an effort to understand what is meant by the sexual exploitation of children, the many forms it can take and the risk factors associated with its occurrence. This is followed by an outline of the methodology adopted in this study in section 3. Section 4 reports on the study's findings. The study then concludes in section 5, by drawing the research together and suggesting some next steps.

16 The GNPSB provides advice, guidance and assistance to Gardai investigating sexual offences, online child exploitation, child protection, domestic violence, human trafficking and organised prostitution. The Bureau also leads investigations into more complex cases.

“I even think there’s still a bit of a whisper among professionals. I’m not sure that the full conversation’s been really fully had out there... And it’s almost like it’s [sexual exploitation] named but it’s not named, by not actually fully discussing it... it’s kind of like ‘this is what we think is happening but we’re not really sure’... and we need to kind of say, ‘well, actually we know this has happened for this child and this needs to be—you know’.”^(I/V10)

2. Literature Review

2.1 Introduction

The sexual exploitation of children is not, according to Kelly and Karsna (2017), a new issue with prior research focusing on sexual abuse rings and girls and boys abused through prostitution.¹⁷ In addition, research has recognised that children may be sexually exploited by family members and that children with a history of familial sexual abuse are more likely to be sexually exploited subsequently.¹⁸ Recent years have seen significant progress towards embedding the child's right to protection from sexual exploitation more deeply into the global agenda as evidenced, for example, in enshrining into the Sustainable Development Goals a global mandate to eliminate the sexual exploitation of children.¹⁹ Furthermore, many countries, including Ireland, ratified some of the most relevant legal instruments in the fight against the sexual exploitation of children including the Convention on the Rights of the Child²⁰ and the Council of Europe's Lanzarote Convention²¹. However, while many calls have been made²², Ireland is now the only European Union Member State that has yet to ratify another significant legal instrument to protect against the sexual exploitation of children – the UN General Assembly Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography²³ – which it signed in 2000.²⁴ According to Tanya Ward, chief executive of the Children's Rights Alliance, 'this Protocol covers some of the worst offences that can be committed against children' and its ratification would 'demonstrate that Ireland is meeting the highest standards in the protection of children and young people and send a clear message nationally and internationally that these offences will not be tolerated here'.²⁵ In this literature review, the complex nature of, and the blurred definitions surrounding, the sexual exploitation of children are discussed. The different forms of sexual exploitation are then presented followed by a

17 Kelly, L. and Karsna, K. (2017) *Measuring the scale and changing nature of child sexual abuse and child sexual exploitation: Scoping report*, July. London Metropolitan University: Centre of expertise on child sexual abuse, p.5. See also Alexander, S., Meuwese, S. and Wolthuis, A. (2000) 'Policies and developments relating to the sexual exploitation of children: the legacy of the Stockholm conference', *European Journal on Criminal Policy and Research*, 8(4), pp. 479-501; Burgess, A. and Clark, M. (1984) *Child Pornography and Sex Rings*. New York: Lexington Books.

18 Kelly and Karsna (2017) *op cit*.

19 See Sustainable Development Goals and Targets: - 5.2 (Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation); 5.3 (Eliminate all harmful practices such as child, early and forced marriage and female genital mutilation) and 16.2 (End abuse, exploitation, trafficking and all forms of violence against and torture of children) (Sustainable Development Goals (2015) Available at: <https://datatopics.worldbank.org/sdgoalatlas/targets> (accessed 23 June 2022)).

20 UNCRC (1989) *op cit*.

21 Council of Europe (2007) *op cit*.

22 See Children's Rights Alliance (2019) 'Ireland ready to take a firm stance against child trafficking, child abuse material and child prostitution'. *Press Release*. 2 January. Available at: <https://childrensrights.ie/resources/ireland-ready-take-firm-stance-against> (accessed 7 Dec 2022); Irish Human Rights and Equality Commission (IHREC) (2020) *Submission to the UN Committee on the Rights of the Child on the List of Issues Prior to Reporting for the Fourth Periodic Examination of Ireland*. July. Dublin: Irish Human Rights and Equality Commission. Available at: <https://www.ihrec.ie/app/uploads/2020/09/Submission-by-IHREC-to-the-UN-Committee-on-the-Rights-of-the-Child-on-the-LOIPR-July-2020.pdf> (accessed 23 June 2022); Ombudsman for Children (2019) 'Ombudsman for Children supports call for Ireland to ratify the Second Optional Protocol to the UN Convention on the Rights of the Child', *Press Release*. 7 January. Available at: <https://www.oco.ie/news/Ombudsman-for-Children-supports-call-for-Ireland-to-ratify-the-Second-Optional-Protocol-to-the-UN-Convention-on-the-Rights-of-the-Child/> (accessed 23 June 2022).

23 UN General Assembly (2000) *Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*. A/RES/54/263, 25 May 2000, entered into force on 18 January 2002.

24 See Children's Rights Alliance (2022) *Report Card 2022*. Available at: <https://www.childrensrights.ie/content/report-card-2022> (accessed 5 December 2022).

25 Children's Rights Alliance (2019) *op cit*.

discussion of the risk factors associated with the sexual exploitation of children.

2.2 The complex nature of sexual exploitation

Beckett (2011) highlights that the nature of the sexual exploitation of children is such that it is extremely difficult to identify and evidence. She identified a number of factors as contributing to this difficulty, including the ‘off-street’ nature of much of the exploitation, the sophisticated grooming methods used by abusers and a general reluctance among young people to disclose.²⁶ Pearce (2018) reports that it can take on average 7.8 years before a child who has experienced sexual exploitation tells of their experiences and children may try and tell someone, in one way or another, an average of four times before it is heard, accepted or believed.²⁷ Melrose (2013: 160) argues that the sexual exploitation of children has become a fuzzy and elastic concept that is difficult to apply consistently in practice.²⁸ She notes that a variety of forms of sexual exploitation co-exist in different places at different times requiring a more fluid understanding of sexual exploitation in the 21st century. The sexual exploitation of children, for example, may include ‘young people who are trafficked for sexual exploitation within [a country] and from abroad, young people who are sexually exploited via the internet, through gang involvement, through ‘grooming’ by older adults, through peer recruitment and through a ‘partying lifestyle’.²⁹ She explains a ‘partying lifestyle’ as older males encouraging girls to invite their peers to ‘parties’. At these ‘parties’, young girls are encouraged to engage in sex acts with several older men in exchange for cigarettes, alcohol or other drugs.³⁰ While the language surrounding these ‘parties’ may imply victim blaming, Melrose (2013) stresses that although young girls may willingly accept invitations to these ‘parties’, this willingness is driven by emotional vulnerability in a culture that is marred by sexualisation and pornography.³¹ This recognition is important to ensure that victims are not blamed for their own exploitation and is discussed in more detail in section 2.3.

According to Beckett and Walker (2018) the sexual exploitation of children can be perpetrated by a range of abusers including male/ female, adult/ peer, across any social class or ethnicity who operate alone, in groups or organised gangs.³² In an extensive investigation into the sexual exploitation of children in the UK in 2022, the Independent Inquiry into Child Sexual Abuse, for example, reported that exploitation of children by groups or networks is widespread and is not limited to a small number of towns in the UK.³³ It noted that such exploitation by networks or groups of adults can include a number of adults actively working together and ‘passing’ children between them, or people with only loose associations with each other through links they establish on social media or from being in the same communities. These abusers may have a third party/pimping role where they do not sexually abuse children themselves but use the children instead as a commodity

26 Beckett (2011) *op cit.*, pp. 46-47.

27 Pearce (2018) *op cit.*, p.33.

28 Melrose, M. (2013) ‘Twenty-first century party people: Young people and sexual exploitation in the new millennium’, *Child Abuse Review*, 22(3), pp. 155-168.

29 *ibid.*, p.165.

30 *ibid.*, p.165.

31 *ibid.*, pp. 162-163.

32 Beckett and Walker (2018) ‘Words Matter: Reconceptualising the conceptualisation of child sexual exploitation’ in Beckett, H. and Pearce, J. (eds.) *Understanding and Responding to Child Sexual Exploitation*. London: Routledge, pp.9-23.

33 The UK Inquiry heard from complainants, academics, local authorities, police officers, voluntary sector representatives, government officials, and representatives from victim support and campaigning groups in the six areas across the UK chosen for investigation (Jay *et al.* (2022), *op cit.*, p.18).

for their own gain, financial or otherwise.³⁴ Hence, the sexual exploitation of children is hugely complex and can manifest in multiple ways through multiple mechanisms by multiple persons.³⁵

2.3 Blurred definitions - sexual exploitation and sexual abuse of children

Defining the sexual exploitation of children has proven to be a difficult task such that related policy and practice frameworks in many countries operate with different definitions making ‘the collection of reliable, comprehensive and comparable data’ problematic.³⁶ The absence of ‘accurate information about the nature and scale of the sexual exploitation of children is a fundamental obstacle to addressing the problem’³⁷ and can lead to ‘flawed responses and limited and ineffective methods of measuring impact or setting targets’.³⁸ Furthermore, as Allnock (2018) warns, failing to understand the dynamics of sexual exploitation can result in ‘victim blaming’ by professionals in positions of power and protection.³⁹ Victim blaming attitudes are incompatible with the necessity to treat victims of sexual exploitation with empathy and concern such that they do not feel they are being blamed and punished for their own exploitation.⁴⁰

Many agree that sexual exploitation is a form of sexual abuse of children⁴¹ but delineating boundaries is critical for measurement.⁴² For example, the Department for Education in the UK defines sexual exploitation of children as a complex ‘form of child sexual abuse’ that reflects an ‘imbalance of power’ that allows an individual or group of individuals to ‘coerce, manipulate or deceive a child or young person under 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator’.⁴³ In its definition, the exchange is not limited to tangible items (for example, money, drugs or alcohol) but may also include intangible rewards to the child and young person (for example status, protection or perceived receipt of love or affection).⁴⁴ Jay *et al* (2022) found that abusers often use alcohol, drugs, actual or threatened violence, kindness and affection to develop a connection with a child they intend to exploit and the manipulation at the core of the sexual exploitation of children is often as a result of an imbalance of power.⁴⁵ This imbalance of power can exist because ‘those exploiting the child/ young person have power over them by virtue of their age, gender, intellect, physical strength and/ or economic or other resources’.⁴⁶

The sexual exploitation of children can happen even if the sexual activity appears consensual as

34 Jay *et al.* (2022), *op cit.*, p.43.

35 Appleton, J. V. (2014) ‘Child sexual exploitation, victimization and vulnerability’ *Child Abuse Review*, 23, pp. 155-158.

36 RCNI (2022) *op cit.*, p.7.

37 Jay *et al.* (2022) *op cit.*, p. 38.

38 Inter-agency Working Group on Sexual Exploitation of Children (2016) *Terminology guidelines for the protection of children from sexual exploitation and abuse*. p.1. Luxembourg: ECPAT International.

39 Allnock, D. (2018) ‘Disclosure of CSE and other forms of child sexual abuse: Is an integrated evidence base required?’, in Beckett, H. and Pearce, J. (eds.) *Understanding and Responding to Child Sexual Exploitation*. p. 48. London: Routledge.

40 Jay *et al.* (2022) *op cit.*, pp. 69-70.

41 While Kelly and Karsna (2017) among others, use the term ‘child sexual abuse’, this study adopts the preferred term, sexual abuse of children because as noted by RCNI ‘child sexual abuse could infer that the child instigated the abuse’ (RCNI, 2022, *op cit.*, p.19).

42 Kelly and Karsna (2017) *op cit.*, p.5.

43 Department for Education (2017) *op cit.*, p.6.

44 *ibid.* p.6.

45 Jay *et al.* (2022), *op cit.*, p.40.

46 Tusla (2017) *Joint Working Protocol for An Garda Síochána/ Tusla – Child and Family Agency Liaison*.p.25. Available at: https://www.tusla.ie/uploads/content/CF_Joint_Protocol.pdf (accessed 24 June 2022).

many young people ‘may not view themselves as victims’ believing instead ‘the abuser to be their boyfriend’, or ‘they are getting something tangible in return’ for the sexual activity.⁴⁷ Furthermore, while the sexual activity with the young person may appear consensual and involve no force or violence, RCNI (2022) stresses that it could fall within non-consensual sexual activity and constitute rape⁴⁸ given that ‘a child below the age of sexual consent cannot consent’.⁴⁹ Except in very specific circumstances, as set out in the *Criminal Law (Sexual Offences) Act, 2017*, consent on the part of the child provides no defence for the perpetrator.⁵⁰

What is important, according to Beckett (2019), is that young people who are sexually exploited get the message that ‘they are not to blame and that neither the exercise of agency nor the presence of gain renders them culpable for the harm experienced or places them outside support’ (p.39).⁵¹ With this in mind, she argues that the definition of the sexual exploitation of children must be ‘capable of accommodating the co-existence of choice and constraint, benefit and harm, and victimhood and agency which are present in many young people’s experience of sexual exploitation’.⁵² This new narrative she advocates for would challenge the current discourse around the exploitation of minors which emphasises victim passivity and perpetrator control and manipulation. This view has difficulty with any conception of agency on the part of the victim and cannot allow for any indication that the child ‘chooses’ their behaviour and relationship with the perpetrator. To acknowledge agency, is to exclude the child from the realm of the ‘idealised victim’. She argues for a more nuanced and sophisticated interpretation of ‘choice, so they are not seen as rational and informed lifestyle choices, but as (mal)adaptations to earlier trauma, or as attempts to meet unmet needs’.⁵³ Similarly, Coy (2016) warns that while some young people may believe they made the choice, these choices are highly constrained and are, what she describes, ‘choiceless choices’.⁵⁴ Furthermore, the sexual exploitation of children may ‘not always involve physical contact’ and ‘can also occur through the use of technology’.⁵⁵

In 2022, drawing on the Istanbul Convention⁵⁶, relevant international⁵⁷ and national⁵⁸ legal standards as well as focus groups with interagency expert organisations⁵⁹, the Rape Crisis Network of Ireland (RCNI) developed a definition of the sexual exploitation of children that

47 Beckett (2011) *op cit.*, p.47.

48 Under Irish law, rape is defined as ‘the penetration (however slight) of the anus or mouth by the penis, or penetration (however slight) of the vagina by any object held or manipulated by another person’ (see Irish Statute Book (1990), *Criminal Law (Rape) Amendment Act 1990*, section 4. Available at: <https://www.irishstatutebook.ie/eli/1990/act/32/enacted/en/print#sec4> (accessed 6 September 2022).

49 The age of sexual consent in Ireland is 17 years (Irish Statute Book (2017) *op cit.*, Section 17). See also RCNI (2022) *op cit.*, p.74.

50 The specific circumstances referred to in the *Criminal Law (Sexual Offences) Act, 2017* include: if the child is aged between 15 and 17 years and actually consents to the sexual act, the accused has a defence if (a) he is younger or less than two years older than the child; and (2) was not, at the time of the alleged offence, a person in authority over the child; and (3) was not, at that time, in a relationship with the child that was intimidatory or exploitative of the child (Irish Statute Book (2017) *op cit.*, Section 17).

51 Beckett, H. (2019) ‘Moving beyond discourses of agency, gain and blame: reconceptualising young people’s experiences of sexual exploitation’ in Pearce, J. (ed.) *Child Sexual Exploitation: Why Theory Matters*. Bristol: Policy Press. pp. 23-42.

52 *ibid.*, p.23.

53 *ibid.*, p. 25.

54 Coy, M. (2016) ‘Joining the dots on sexual exploitation of children and women: a way forward for UK policy responses’, *Critical Social Policy*, 36(4), pp. 572-591.

55 Department for Education (2017) *op cit.*, p.5.

56 Council of Europe (2011) *op cit.*

57 Council of Europe (2007) *op cit.*; EU (2011a) *op cit.*; UNCRC (1989) *op cit.*

58 Irish Statute Book (2017) *op cit.*; Irish Statute Book (2008) *op cit.*

59 See RCNI (2022) *op cit.*, p.15 for a list of organisations consulted.

is not unlike that set out by the Department for Education in the UK.⁶⁰ RCNI defines the sexual exploitation of children as ‘exploit[ing] the vulnerability and developmental maturity of a child’ and involves ‘inviting, inducing or coercing a child to engage in or to observe sexual acts, where there is an element of exchange and imbalance of control/ power’.⁶¹ Similar to the Department for Education in the UK, RCNI stresses that the sexual exploitation of children ‘includes threats to withhold or deny something the child wants or needs’ and exchange is ‘not limited to tangible items such as money [but] can also include denial or promise of affection or freedom’.⁶² However, rather than seeing sexual exploitation as an element of the sexual abuse of children, RCNI sees both elements as ‘subsets of the more all-encompassing term Sexual Violence against Children’ while also highlighting that ‘all sexual abuse of children is exploitative’.⁶³

The sexual exploitation of children has also been described as the ‘range of crimes and activities involving the sexual abuse or exploitation of a child for the financial benefit of any person or in exchange for anything of value (including monetary and non-monetary benefits) given or received by any person’.⁶⁴ In 2017, the International Labour Organization (ILO) estimated that ‘about 1 million children were victims of commercial sexual exploitation worldwide’⁶⁵ emphasising the need for each member state to design and implement action programmes that will eliminate it as a priority⁶⁶. The sexual exploitation of children is deemed a fundamental violation of children’s rights and a severe form of sexual victimization where sexual abuse and exploitation of minors coexist.⁶⁷ According to Barnardos (2017) in the UK the factors that are common to many of the definitions show that the sexual exploitation of children is ‘a form of sexual abuse, involves under 18s, is an exploitative situation in which a young person is manipulated, coerced, or deceived into sexual activity in order to receive something they want or need, or it is to the advantage of the perpetrator, there is an imbalance of power, and the abuse does not always have to be physical or in person and can be perpetrated through the use of technology’.⁶⁸ For the purposes of this study, we adopt this broad definition of the sexual exploitation of children.

60 Department for Education (2017) *op cit.*

61 RCNI (2022) *op cit.*, p.30.

62 *ibid.* p.30.

63 RCNI (2022) *op cit.*, p.30. Interestingly, the Department of Justice in Ireland sees the sexual exploitation of children as a form of sexual abuse which in turn it includes as a form of sexual violence (Department of Justice (2019) *What sexual violence is*. March. Available at: <https://www.gov.ie/en/publication/9bd76c-what-is-sexual-violence/> (accessed 28 November 2022).

64 OJJDP (2014) *op cit.*

65 International Labour Organization (ILO) (2017) *Global estimates of child labour*, p.13. Geneva: ILO. Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575499.pdf (accessed 19 January 2022).

66 International Labour Organization (ILO) (1999) *Worst forms of Child labour*, Convention, No.182. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182 (accessed 19 January 2022).

67 Benavente, B., Díaz-Faes, D.A., Ballester, L. and Pereda, N. (2021) ‘Commercial Sexual Exploitation of Children and Adolescents in Europe: A Systematic Review’, *Trauma, Violence, & Abuse*, pp1-20, DOI: 10.1177/1524838021999378.

68 Barnardos (2017) *Working with children who are victims or at risk of sexual exploitation: Barnardo’s model of practice*, p.15. Available at: <https://www.bl.uk/collection-items/working-with-children-who-are-victims-or-at-risk-of-sexual-exploitation-barnardos-model-of-practice> (accessed 25 January 2022).

2.4 Different forms of sexual exploitation of children

The sexual exploitation of children can manifest itself in various forms and include, as depicted in Figure 1, the sexual exploitation of children through prostitution⁶⁹, sometimes known as the commercial sexual exploitation of children, online sexual exploitation of children, the sexual exploitation of children in travel and tourism, sometimes referred to as ‘sex tourism’, sexual exploitation of children through child or forced marriage, and trafficking of children for sexual exploitation.⁷⁰ It is, however, important to stress that these forms are not mutually exclusive - individual children may experience exploitation in one or more of these categories at the same time or consecutively/ at different stages in their lives.

Figure 1: Forms of Sexual Exploitation of Children



Source: Adapted from OJJDP (2014)⁷¹; Global Initiative against Transnational Organized Crime (2021)⁷²

Furthermore, the experience of exploitation in one context (e.g. online) may increase a child’s vulnerability to other forms of sexual exploitation (e.g. going on to experience exploitation in person). While this categorisation of the many forms of the sexual exploitation of children is helpful, it cannot be deemed to be fully comprehensive as it may not capture every instance or circumstance of sexual exploitation of children in all of its complexities. With this in mind, each of these forms of the sexual exploitation of children will now be discussed because in order to formulate an appropriate and effective response to eliminating the sexual exploitation of children, it is important to understand and bring visibility to the means by which a perpetrator is ‘assessing, grooming and sexually exploiting a young person’.⁷³

2.4.1 Sexual exploitation of children through prostitution

The sexual exploitation of children through prostitution is sometimes referred to as commercial sexual exploitation of children as the commercial sex trade is a market where ‘youth is eroticised

69 We are referring here to the sexual exploitation of children through in-person prostitution.

70 OJJDP (2014) *op cit.*, p.1; Global Initiative against Transnational Organized Crime (2021) *op cit.*

71 OJJDP (2014) *op cit.*

72 Global Initiative against Transnational Organized Crime (2021) *op cit.*, p.21.

73 Barnardos (2017) *op cit.*, p.9.

and prized’ and ‘where young women are sexualized as premium commodities’ (Coy, 2016).⁷⁴ According to O’Hara (2019) the ‘connections between the commercial sexual exploitation of children and of adults ... are so fundamental as to make the commercial sexual exploitation of children an integral part of the sex trade’ (p.115).⁷⁵ This is based on research evidence which showed a significant proportion of women were under the age of 18 when they first became entrapped in the sex trade.⁷⁶ Hence we have to ask, as Kelly and Regan (2000) did, ‘what process can occur in 24 hours that transforms something inherently exploitative (sex with a girl aged 17 years and 364 days) into an issue of choice and consent’ the following day?⁷⁷

It has proven difficult to quantify globally the number of children sexually exploited through prostitution as much of the activity is hidden away in brothels, bars, strip clubs, massage parlours and saunas which impose practical constraints and ethical issues in conducting research.⁷⁸ However, what is known is that children of different ages are exploited in this way and that the age at which children are first exploited through prostitution is continuing to decrease.⁷⁹ While some young people may believe that they are involved in prostitution through choice driven by survival⁸⁰, these choices are constrained, or as Coy (2016) describes, are ‘choiceless choices’⁸¹ such that their involvement in prostitution is a form of exploitation.⁸² Furthermore, some young people may have been groomed using the ‘boyfriend method’⁸³ whereby the perpetrator befriends and grooms the young person into a ‘relationship’ and then exploits this relationship to coerce, trick or force them to have sex with others.⁸⁴ Such grooming is seen as ‘an insidious, deliberate set of behaviours that an adult may deliberately and actively engage in over weeks, months or years once they have identified a child or children they seek to exploit’.⁸⁵ Unless we recognise the constrained circumstances within which young people make these so called ‘choices’, and see that the exercise of choice does not necessarily equal culpability or negate the abusive and exploitative nature of the act, Beckett (2019) warns that we will mistakenly consider young people to be ‘in control’ and not appreciate the need for intervention.⁸⁶ Hence, in Ireland the *Criminal Law (Sexual Offences) Act 2017* is im-

74 Coy (2016) *op cit.*, p.585.

75 O’Hara, M. (2019) ‘Making pimps and sex buyers visible: Recognising the commercial nexus in “child sexual exploitation”’, *Critical Social Policy*, 39 (1) pp. 108-126.

76 Coy (2016) *op cit.*, p.574; Farley, M. et al. (2003) ‘Prostitution and trafficking in nine countries: an update on violence and post-traumatic stress disorder’ in Farley, M. (ed.) *Prostitution, Trafficking and Traumatic Stress*, Philadelphia, PA: Haworth Press, p.33-74; Hester, M. and Westmarland, N. (2004) *Tackling street prostitution: Towards a holistic approach*. Home Office Research Study 279. London: Home Office; Bindel et al. (2013) *Breaking down the barriers: A study of how women exit prostitution*. London: Eaves.

77 Kelly, L. and Regan, L. (2000) *Rhetorics and Realities: Sexual Exploitation of Children in Europe*. London: Child and Woman Abuse Studies Unit. London Metropolitan University.

78 Chase, E. and Statham, J. (2005) ‘Commercial and Sexual Exploitation of Children and Young People in the UK – A Review’, *Child Abuse Review*, 14, pp. 4-25; Melrose, M. (2002) ‘Labour pains: some considerations of the difficulties of researching juvenile prostitution’, *International Journal of Research Methodology, Theory and Practice*, 5, pp. 333-351.

79 Chase and Statham (2005) *op cit.*, p.9.

80 Survival sex is where sex is exchanged for necessities such as food or housing (OJJDP, 2014, *op cit.*, p.5).

81 Coy (2016), *op cit.*, p.577.

82 Barnardos (2017) *op cit.*, p. 14.

83 This is also known as the ‘loverboy’ method. According to the government in the Netherlands social media provide loverboys with much greater scope for establishing contact with victims and gathering information about vulnerable boys and girls and makes it easier to sexually exploit them through prostitution. (Available at: <https://www.government.nl/topics/human-trafficking/romeo-pimps-loverboys#:~:text=Loverbody%20method%20changing%20due20to,being%20used%20less%20and%less> (accessed 28 November 2022).

84 DHHS (2017) *op cit.*, p. 8.

85 DHHS (2017) *op cit.*, p. 10.

86 Beckett (2019) *op cit.*, p. 34.

portant in this respect as it recognises as offences both the payment for the sexual exploitation of a child⁸⁷ and the organisation of the sexual exploitation of children through prostitution⁸⁸.

While official and reliable data on the sexual exploitation of children through prostitution in Ireland is limited, evidence of its existence has been highlighted repeatedly through the media, criminal trials, Government reports, NGO research and international evaluations.⁸⁹ The presence of children in brothels has been reported by Irish news outlets⁹⁰ with victims being predominantly Irish or EU citizens⁹¹. There are also cases, especially among girls, of victims that entered into child marriages and who were later forced into prostitution.⁹² In her study of twenty-two women in prostitution in Dublin, Quinlan-Clarke (2010) reported that the mean age of initiation into prostitution was 17 years of age, with eleven participants entering prostitution before the age of 18 and one child was as young as 12 years.⁹³ Once in a brothel, child victims have their ID documents confiscated and are forced to move on a regular basis, which exacerbates their vulnerability and reduces their chances of being rescued.⁹⁴ In March 2018, the ‘worst paedophile ring’ ever reported in Ireland was uncovered in Munster, where 20 children were found to have been allegedly ‘raped and sexually abused in exchange for cash’.⁹⁵

The sexual exploitation of children through prostitution in Ireland is reflective of what is occurring internationally. For example, in a large scale international study by Farley *et al.* (2003) 47% of the 854 women interviewed across nine countries had entered prostitution before the age of 18 years and some as young as 12 years of age.⁹⁶ In another large scale study, Beckett (2011)

87 Under Article 3 ‘a person who for the purposes of the sexual exploitation of a child (a) pays, gives, offers or promises to pay or give a child or another person money or any other form of remuneration or consideration...shall be guilty of an offence.’ (See Irish Statute Book (2017) *op cit.* Article 3).

88 Under Article 11 a person who- (a) controls or directs the activities of a child for the purposes of prostitution of the child..., (b) organised the prostitution of children... by controlling or directing the activities of more than one child for those purposes, (c) compels, coerces or recruits a child to engage or participate in child prostitution..., (d) knowingly gains from the prostitution of a child...or incites or causes a child to become involved in child prostitution... shall be guilty of an offence.’ (See Irish Statute Book (2017) *op cit.* Article 11).

89 Immigrant Council of Ireland (2014) *Submission to the Department of Justice and Equality on underage prostitution and child trafficking in Ireland*, p.2. Dublin: Immigrant Council of Ireland. Available at: <https://www.immigrantcouncil.ie/sites/default/files/2017-10/AT%202014%20Submission%20to%20DJE%20on%20Underage%20Prostitution%20and%20Child%20Trafficking%20in%20Ireland.pdf> (accessed 25 January 2022). See also Eastern Health Board (1997) *Report of the Working Party on Children in Prostitution*. Eastern Health Board. Available at: <http://hdl.handle.net/10147/46229> (accessed 4 April 2023); Crowley (1998) *Prostitution in the Mid West Region*. Mid-Western Health Board. Available at: <http://hdl.handle.net/10147/42628> (accessed 4 April 2023).

90 MacNamee, G. (2017) ‘“Pick an apartment block in parts of Dublin and you’ll find a brothel”: The rise of the Irish vice industry’, *Thejournal.ie*, 12 March 2017. Available at: <https://www.thejournal.ie/prostitutes-sex-ruhama-children-3278977-Mar2017/> (accessed 25 January 2022).

91 ECPAT International (2018) *Country Overview Ireland: A report on the scale, scope and context of the sexual exploitation of children*, November, p. 3. Bangkok: ECPAT International. Available at: https://ecpat.org/wp-content/uploads/2021/08/ECO_IRELAND_2018.pdf (accessed 14 December 2021).

92 May, M. (2015) ‘Sham marriage teen’s prostitution hell’, *The Irish Sun*, 27 November 2015. Available at: <https://www.thesun.ie/archives/irish-news/108393/sham-marriage-teens-prostitution-hell/> (accessed 25 January 2022). See also: Cosgrove, C., O’Connor, M., and Yonkova, N. (2016) *Exploitative sham marriages and human trafficking in Ireland*. Dublin: Ireland Immigrant Council of Ireland. Available at: <https://www.immigrantcouncil.ie/sites/default/files/2017-10/AT%202016%20Exploitative%20Sham%20Marriages%20Irish%20Report%20HESTIA.pdf> (accessed 26 January 2022).

93 Quinlan-Clarke, S. (2010) *A Qualitative Study of Young Women involved in Prostitution in Dublin*, Unpublished Masters Thesis, Technological University Dublin.

94 ECPAT International (2018) *op cit.*, p.7.

95 Lally, C. (2018) ‘Almost 20 child victims of alleged paedophile ring identified’, *The Irish Times*, 06 March 2018, Available at: <https://www.irishtimes.com/news/crime-and-law/almost-20-child-victims-of-alleged-paedophile-ring-identified-1.3416894> (accessed 25 January 2022).

96 Farley *et al.* (2003) *op cit.*

reports that sexual exploitation through prostitution involving third-party organisation and gain was one of the most frequently identified forms of sexual exploitation of children in Northern Ireland.⁹⁷ Children are therefore being exploited in the same sex market as adult women where, according to the Immigrant Council of Ireland (2014), the demand for younger girls and women is prevalent, and where the same kind of sex buyer considers them as ‘interchangeable goods’.⁹⁸ Tackling men who pay for sex is, according to Coy (2016), the area where the sexual exploitation of children policy has been most timid and if we want to curb the exploitation of children through prostitution we must call on politicians and policy makers to address those who pay for sex.⁹⁹ Hence, the *Criminal Law (Sexual Offences) Act, 2017* by criminalising the purchase of sexual services¹⁰⁰ is seen as ‘the most important comprehensive legislation that aims to reduce the demand driving commercial sexual exploitation’.¹⁰¹

2.4.2 Online sexual exploitation of children

Concern about the scale and nature of sexual exploitation perpetrated online heightens awareness of the potential for any child to be affected in any home to this form of sexual exploitation in particular irrespective of social class, education, ethnicity or ability.¹⁰² The sexual exploitation of children is reportedly one of the crimes adapting most quickly to and capitalising on the opportunities offered by technology.¹⁰³ For example, technological advancements are allowing traffickers and pimps to: communicate with each other more securely; groom and manipulate children more easily; exploit and coerce more children; live stream, store and advertise such sexual exploitation more extensively and securely to buyers; and hide any bartering of images¹⁰⁴ or monetary proceeds that ensue.¹⁰⁵ In a recent targeted action against online sexual exploitation of children, the Online Child Exploitation Unit of the Garda National Protective Services Bureau (GNPSB) reported that while many of the underage images that they were notified about were produced and shared voluntarily, they were then being shared more widely and were being commercially exploited.¹⁰⁶

97 In her study, Beckett (2011) drew upon 1,102 completed risk assessments by practitioners, 29 individual high risk case files, interviews with 110 practitioners and 5 young people and completed survey questionnaires from 786 young people (Beckett (2011) *op cit.*, pp.17-18).

98 Immigrant Council of Ireland (2014), *op cit.*, p.2. See also Monzini, P. (2005) *Sex Traffic: Prostitution, Crime and Exploitation*. London: Zed Books.

99 Coy (2016) *op cit.*, p.584.

100 Irish Statute Book (2017) *op cit.*, Part IV.

101 Irish Human Rights and Equality Commission (IHREC) (2022b) *Trafficking in Human Beings in Ireland: Evaluation of the Implementation of the EU Anti-Trafficking Directive*. June. p. 155. Dublin: Irish Human Rights and Equality Commission. Available at: <https://www.ihrec.ie/documents/trafficking-in-human-beings-in-Ireland/> (accessed 10 January 2023).

102 Bailey (2017) *op cit*; Davidson and Gottschalk (2014) *op cit*; Pearce (2018) *op cit.*, p.31.

103 Global Initiative against Transnational Organized Crime (2021) *op cit.*

104 According to O’Donnell and Milner (2012) most child sexual abuse material is bartered rather than sold for profit (See O’Donnell, I. and Milner, C. (2012) *Child Pornography: Crime, Computers and Society*. London: Willan Publishing. p.50).

105 Global Initiative against Transnational Organized Crime (2021) *op cit.*, p.14. See also IHREC (2022b) *op cit.*, p.154; OSCE (2022) *Survey Report 2021 of Efforts to Implement OSCE Commitments and Recommended Actions to Combat Trafficking in Human Beings*, p.111. Vienna: OSCE/ Office of the Special Representative and Coordinator for Combatting Trafficking in Human Beings.

106 Keena, C. (2022) ‘Sexualised self-taken photos of children and teens being commercially exploited online-gardai’, *Irish Times*, 6 December, Available at: <https://www.irishtimes.com/crime-law/2022/12/06/sexualised-self-taken-photos-of-under-18s-being-commercially-exploited-online-gardai> (accessed 7 December 2022).

Online sexual exploitation of children¹⁰⁷ usually starts with grooming, a process of socialisation whereby an adult engages with and manipulates a child or young person in order to develop a relationship with them for the purpose of online sexual abuse (which may include offline aspects).¹⁰⁸ A recent example of such grooming of children to ensnare them into sexual activity was reported in Ireland whereby the perpetrator ‘operated behind fake profiles on social media, telling children he linked up with that he worked in film and television to impress them. He sent thousands of messages that graduated from initial flattery to highly sexualised conversations... [and] used emojis and language appropriate to the children’s ages’.¹⁰⁹ An important step was undertaken in Ireland, through Article 10 of the *Criminal Law (Sexual Offences) Act, 2017* to target grooming, including online grooming, while not using the term.¹¹⁰

Grooming is a process that can entail ‘sexting’ (creating and/or sharing sexually suggestive images of the child), ‘sextortion’/ sexual extortion (blackmailing the child with their own still images and videos to extort sexual favours or money) or live sexual abuse streamed online (coercing a child into sexual activities) and creating child sexual violence material¹¹¹ (sexualised materials depicting children).¹¹² Child sexual violence material may also be obtained through ‘up-skirting or down-blousing’ which is the ‘recording beneath the clothing of a child with the intention of themselves or someone else seeing/viewing the buttocks, genitals, breasts, chest or underwear of the child’.¹¹³ The largest ever survey on the thoughts and behaviours of people who watch child sexual abuse material online has found significant evidence that those who watch illegal material are at high risk of going on to contact or abuse a child directly.¹¹⁴ Nearly half (42%) of the respondents, for example, reported that they had sought direct contact with children through online platforms after viewing child sexual abuse material, and 58% described feeling afraid that viewing this material might lead to sexual acts with a child.¹¹⁵

In the online world, the grooming process is accelerated compared to the offline world, with less time spent grooming the child prior to an initial sexual approach and a rapid escalation to more serious abuse.¹¹⁶ Some protection of children is offered through the *Criminal Law (Sexual Offences) Act, 2017* which criminalises a person who uses information and communication technology

107 Online sexual exploitation of children is also described as ‘tech-facilitated’ sexual exploitation of children (Global Initiative against Transnational Organised Crime, 2021, *op cit.*, p.28) or ‘digital dimension of sexual violence against children’ (RCNI, 2022, *op cit.*, p.53).

108 Livingstone *et al.* (2017) *Children’s online activities, risks and safety: a literature review*. October. UK: UK Council for Child Internet Safety.

109 Reynolds, P. (2021b) ‘How RTE producer Creaven abused children for a decade’ *RTE.ie*, 4 December. Available at: <https://www.rte.ie/news/2021/12/04/1264744-kieran-creaven/> (accessed 26 January 2022).

110 Article 10 *Criminal Law (Sexual Offences) Act 2017* amends and expands Section 3 of the 1998 *Child Trafficking and Child Pornography Act* in relation to its definition of the sexual exploitation of a child to include ‘(d) inducing or coercing the child to engage or participate in any sexual, indecent or obscene act, (e) inviting the child to engage or participate in any sexual, indecent or obscene act which, if done, would involve the commission of an offence against the child, or (f) inviting, inducing, or coercing the child to observe any sexual, indecent or obscene act, for the purposes of corrupting or depraving the child’ (see Irish Statute Book (2017) *op cit.*, Article 10).

111 Child sexual violence material can also be referred to as child sexual exploitation material, child sexual abuse material and intimate images of child (RCNI, 2022, *op cit.*, p.55).

112 ECPAT International (2017) *Online child sexual exploitation: A common understanding*, May 2017. Available at: https://ecpat.org/wp-content/uploads/2021/05/SECO-Booklet_ebook-1.pdf (accessed 25 January 2022); Global Initiative against Transnational Organized Crime (2021) *op cit.*, p.28; Barnardos (2017) *op cit.*, p.13.

113 RCNI (2022) *op cit.*, p.53.

114 Insoll *et al.* (2022) ‘Risk Factors for Child Sexual Abuse Material Users Contacting Children Online: Results of an Anonymous Multilingual Survey on the Dark Web’, *Journal of Online Trust and Safety*, 1(2), pp.1-24.

115 *ibid*, p.2.

116 Beckett (2011) *op cit.*, p. 55.

(ICT) to facilitate the sexual exploitation of a child as well as criminalising the use of ICT to send sexually explicit material to a child.¹¹⁷ In addition, the introduction of the *Harassment, Harmful Communications and Related Offences Act, 2020* (Coco's Law) is another important piece of legislation that tackles online sexual exploitation and harm by criminalising the non-consensual sharing of intimate images.¹¹⁸ The European Commission seeks to increase its child protection measures demanding the world's largest technology companies scan for, detect, report and remove online child sexual abuse material.¹¹⁹ The Commission also proposes to allow courts in the EU require social networks to track and report efforts by their users to groom children via messaging tools and it plans to create a new European agency similar to the US's National Centre for Missing and Exploited Children, to work alongside Europol.¹²⁰

It must be noted that with the increase in children's use of technology in Ireland and in other countries in recent times, especially during the COVID-19 pandemic when school closures pushed more children into the digital sphere, the potential to make children more vulnerable to certain forms of sexual exploitation such as online grooming and the sharing of child sexual abuse material, has also increased. For example, Davidson *et al* (2021) reports an increase of 16% in online grooming during the COVID-19 pandemic with groomers targeting online platforms to communicate directly with children using comments functions on live videos.¹²¹ They also report a similar increase in the number of reports of sexual images or videos of children being sexually abused with over 53% of the children being 10 years or younger.¹²² Similarly, the EU Commission (2022) noted that child sexual abuse material is pervasive with up to 85 million pictures and videos depicting child sexual abuse reported worldwide in 2021 alone, and many more going unreported.¹²³ Europol¹²⁴ and Interpol¹²⁵ also observed an increased distribution of child sexual abuse material in many parts of Europe as more predators and potential predators were confined to home. In Ireland, Hotline.ie, the national reporting service, received and actioned 25 per cent more child sexual abuse material reports than in the last 21 years combined and more than one quarter of these sexual abuse images and videos were self-generated.¹²⁶ Likewise, the Internet Watch Foundation, a UK-based charity, reported that in 2021 it had seen a large increase in self-generated material – in which children are manipulated into recording their own abuse before it is shared online – with the fastest growing

117 Irish Statute Book (2017) *op cit.*, Article 8. A child for the purposes of this Article is 'anyone under the age of 17 years'.

118 The *Harassment, Harmful Communications and Related Offences Act 2020* (also referred to as Coco's Law) commenced on 9 February 2021. See Irish Statute Book (2020) *Harassment, Harmful Communications and Related Offences Act 2020*. Available at: <https://www.irishstatutebook.ie/eli/2020/act/32/enacted/en/print> (accessed 14 June 2022).

119 Deutsch, J. (2022) 'EU to crack down on social networks over child sex abuse imagery', *Independent.ie*, May 12. Available at: <https://www.independent.ie/business/technology/EU-to-crack-down-on-social-networks-over-child-sexual-abuse-imagery-41640783.html?s=03> (accessed 20 June 2022). See also OSCE (2022) *op cit.*, p.111.

120 Deutsch (2022) *op cit.*

121 Davidson, J. *et al.* (2021) *Research on Protection of Minors: A Literature Review and Interconnected Frameworks. Implications for VSP Regulation and Beyond*. March. p. 35. University of East London: The Institute for Connected Communities. Available at: https://www.researchgate.net/publication/350358831_Research_on_Protection_of_Minors_A_Literature_Review_and_Interconnected_Frameworks_Implications_for_VSP_Regulation_and_Beyond (accessed 14 June 2022).

122 Davidson *et al.* (2021) *op cit.*, p.38.

123 EU Commission (2022) 'Fighting child sexual abuse: Commission proposes new rules to protect children' *Press Release*. 11 May. Available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_22_2976?s=03 (accessed 20 June 2022).

124 Europol (2020) *Catching the virus: Cybercrime, disinformation and the COVID 19 pandemic*. 3 April. Available at: https://www.europol.europa.eu/cms/sites/default/files/documents/catching_the_virus_cybercrime_disinformation_and_the_covid-19_pandemic_0.pdf (accessed 26 January 2022)

125 Interpol (2020) *Interpol report highlights the impact of COVID 19 on child sexual abuse*. 7 September. Available at: <https://www.interpol.int/en/News-and-Events/News/2020/INTERPOL-report-highlights-impact-of-COVID-19-on-child-sexual-abuse> (accessed 26 January 2022).

126 Hotline.ie (2022) *Annual Report 2021: People not pixels*. pp.11-13. Available at <https://www.hotline.ie> (accessed 9 January 2023).

increase in such material occurring among seven to 10-year-olds.¹²⁷

Children's vulnerability to this type of exploitation is further escalated when parents have difficulty monitoring, or monitor infrequently, their children's online activities.¹²⁸ A recent case in Ireland shows the ease with which perpetrators can abuse children in this way with the judge in this case remarking that 'a notable feature of the case' was how the perpetrator had 'used mainstream social media platforms to sexually abuse children at home and abroad'.¹²⁹ A worry is that An Garda Síochána¹³⁰ do not have sufficient resources to deal with the 'ever-increasing'¹³¹ level of online sexual exploitation of children and are only able to investigate a fraction of the cases that are reported to them.¹³² Hence the EU proposals to regulate online platforms, while deemed radical, have received strong support by the Irish Government and children's groups as a necessary step to protect children from online sexual exploitation.¹³³

2.4.3 Sexual exploitation of children in travel and tourism

The sexual exploitation of children in travel and tourism is defined as any 'act of sexual exploitation of children embedded in a context of travel, tourism or both'.¹³⁴ It includes both domestic travellers and international tourists who travel from their home district, region or country to another place to engage in sexual activities with children.¹³⁵ It usually involves the use of accommodation, transportation and other tourism-related services that facilitate contact with children while enabling perpetrators to remain fairly inconspicuous. In 2016, ECPAT warned that this form of sexual exploitation was becoming invisible, shifting indoors to brothels, clubs, hotels and guesthouses in urban, rural and coastal settings with recruitment increasingly moving online which allowed perpetrators to reduce their visibility and risk of arrest.¹³⁶ In Ireland, under the *Criminal Law (Sexual Offences) Act, 2017* a person is guilty of an offence if they 'intentionally meet, or travel with the intention of meeting a child or make arrangements with the intention of meeting a child ... for the purpose of doing anything that would constitute sexual exploitation of a child'.¹³⁷

127 Milmo, D. (2022) '2021 was worst year on record for online child sexual abuse says IWF', *The Guardian*, 13 January. Available at: https://www.theguardian.com/society/2022/jan/13/2021-was-worst-year-on-record-for-online-child-sex-abuse-says-iwf?CMP=Share_AndroidApp_Other (accessed 26 January 2022).

128 ECPAT International (2018) *op cit.*, p.9; Rudolph, J.I., Walsh, K., Shanley, D.C. and Zimmer-Gembeck, M.J. (2022) 'Child sexual abuse prevention: parental discussion, protective practices and attitudes', *Journal of interpersonal violence*, vol. 37, 23/24, pp.22375-22400.

129 Reynolds, P. (2021a) 'Former RTE sport producer Kieran Creaven jailed for 10 years', *RTE.ie*, 3 December. Available at: <https://www.rte.ie/news/2021/12/03/1264668-kieran-creaven-courts/> (accessed 26 January 2022).

130 An Garda Síochána is Ireland's national police force, often known as the 'Gardaí' and 'the guards'.

131 Keena (2022) *op cit.*

132 In 2020, the US National Center for Missing and Exploited Children (NCMEC) highlighted 6,959 suspected cases of online child abuse to Gardaí. The Gardaí investigated 160 reports. (see Moore, A. (2022) 'Only a fraction of child sex abuse images reported are investigated by Gardaí', *Irish Examiner*, 7 February. Available at: <https://www.irishexaminer.com/news/arid-40802052.html> Only a fraction of child sex abuse images reported are investigated by gardaí (irishexaminer.com) (accessed 20 June 2022).

133 O'Keeffe, C. (2022b) 'Government backs EU proposals to scan personal messages for child-sex abuse images', *Irish Examiner*. 25 June. Available at: <https://www.irishexaminer.com/news/arid-40903706.html> (accessed 27 June 2022); O'Keeffe, C. (2022a) 'Tech firms to be forced to scan people's private messages for child abuse under EU plan', *Irish Examiner*. 22 May. Available at: <https://www.irishexaminer.com/news/arid-40878023.html> (accessed 27 June 2022).

134 ECPAT International (2018) *op cit.*, p.11.

135 Global Initiative against Transnational Organized Crime (2021) *op cit.*, p.22.

136 Hawke, A. and Raphael, A. (2016) *Offenders on the move: Global study on sexual exploitation of children in travel and tourism*. Bangkok: ECPAT International, ECPAT Netherlands, Defence for Children International.

137 Irish Statute Book (2017) *op cit.*, Article 7. A child for the purposes of this article, is 'anyone under the age of 17 years'.

ECPAT International (2018) stated that there was no comprehensive research or data available to assess if Ireland is a destination for travelling child sex offenders.¹³⁸ However, it noted one case reported in the media involving a Canadian sex offender who travelled twice to Ireland to rape a child. The offender was identified and charged in his home country for ‘child sex tourism’ due to the collaborative efforts of the Canadian Internet Child Exploitation Unit and An Garda Síochána.¹³⁹ He was found guilty and received a prison sentence and a ban from internet use.¹⁴⁰

2.4.4 Sexual exploitation of children through child or forced marriage

A child marriage is defined as a marriage where at least one of the parties is under 18 years of age and is described as a form of forced marriage as one or both parties are unable to express their full and free consent to the union.¹⁴¹ According to RCNI (2022) ‘a child marriage is always a “forced marriage” as children lack the capacity to make a fully informed and consensual decision to marry or not’.¹⁴² Child and forced marriages are seen as a human rights violation that disproportionately affects women and girls globally, preventing them from living their lives free from all forms of violence¹⁴³ and the elimination of such marriages by 2030 is enshrined in the Sustainable Development Goals which were adopted by world leaders in 2015.¹⁴⁴ While Ireland has also committed to achieving these goals, AkiDwA (2022) warns that it ‘has developed no comprehensive plan or actions to do so’.¹⁴⁵ In 2018, UNICEF reported that approximately 650 million women alive today were married as children across the globe and the total number of girls married in childhood is currently estimated at 12 million a year.¹⁴⁶

In an in-depth study on the impact of child marriage as a form of sexual abuse and exploitation ECPAT (2015) argued that early marriage acts as a major channel to the sexual exploitation of children but can also amount to a form of sexual exploitation in and of itself. For example, ‘at the first level, child marriage is understood as a channel leading to various forms of sexual violence against children, such as trafficking, prostitution, pornography, or exposure to high levels of vulnerability that in turn may result in sexual victimisation’ and at the second level the ‘underage unions themselves can be potentially regarded as a form of sexual abuse and exploitation of the underage parties involved’.¹⁴⁷

138 ECPAT International (2018) *op cit.*, p.11.

139 O’Reilly, B. (2015) ‘Man charged with sex tourism after “flying to Ireland for sex with 13-year old girl”’, *Independent*, December 15. Available at: <https://www.independent.ie/irish-news/courts/man-charged-with-sex-tourism-after-flying-to-ireland-for-sex-with-13-year-old-girl-34281404.html> (accessed 26 January 2022).

140 Devine, C. and Larkin, L. (2017) ‘Canadian man jailed and banned from the internet after having sex with Irish teen (14) he groomed online’, *Independent*, 12 April, Available at: <https://www.independent.ie/irish-news/courts/canadian-man-jailed-and-banned-from-the-internet-after-having-sex-with-irish-teen-14-he-groomed-online-35618172.html> (accessed 26 January 2022).

141 Office of the High Commissioner for Human Rights (OHCHR) (2021) *Child, early and forced marriages including in humanitarian settings*. Available at: <https://www.ohchr.org/en/issues/women/wrgs/pages/childmarriage.aspx> (accessed 26 January 2022).

142 RCNI (2022), *op cit.*, p. 51.

143 OHCHR (2014) *op cit.*

144 Sustainable Development Goals (2015) *op cit.*, SDG 5.3.

145 AkiDwA (2022) *Early & Forced Marriages in Ireland: A report on the practice and its prevalence*. p.41. November. Dublin: AkiDwA. Available at: <https://akidwa.ie/publications/> (accessed 4 November 2022).

146 UNICEF (2018) *Child Marriage: Latest trends and future prospects*. July. New York: UNICEF. Available at: <https://data.unicef.org/resources/child-marriage-latest-trends-and-future-prospects/> (accessed 26 January 2022).

147 ECPAT International (2015) *Thematic report. Unrecognised sexual abuse and exploitation of children in child, early and forced marriage*. p.(v), Available at: https://resourcecentre.savethechildren.net/pdf/childmarried_final.pdf/ (accessed 26 January 2022).

While figures on the number of forced and early marriages in Ireland are scarce¹⁴⁸, evidence of a new form of human trafficking for the purpose of sham and forced marriages has emerged in Ireland.¹⁴⁹ These marriages usually involve European women and girls, mostly from Eastern Europe and nationals from non-EU countries that seek to obtain legal residence in Europe.¹⁵⁰ According to research undertaken on behalf of the Immigrant Council of Ireland in 2016 there is a highly organised network operating in Ireland which targets vulnerable young women and girls and allows this sham marriage system to operate with the assistance of recruiters in the victims' countries of origin, organisers in Ireland and prospective third country organisers.¹⁵¹ However, under the *Domestic Violence Act, 2018*, a marriage involving anyone under the age of 18 years is illegal in Ireland¹⁵² while a forced marriage is a criminal offence whether the marriage is legally binding or not¹⁵³.

2.4.5 Trafficking of children for sexual exploitation

The trafficking of children for sexual exploitation is defined as 'the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of sexual exploitation'¹⁵⁴ and is a punishable offence in Ireland and elsewhere.¹⁵⁵ Children can be trafficked internally within the country as well as cross-border/ internationally. According to Barnardos (2017) they are 'passed through networks of perpetrators, across and between towns and cities where they may be forced or coerced into sexual activity with multiple perpetrators'.¹⁵⁶ Trafficking for the purpose of sexual exploitation is now the most prevalent form of trafficking in a global context (accounting for 50 per cent of the overall trafficking in human beings) of whom 92 per cent are women (67%) or girls (25%).¹⁵⁷ Similar statistics are available for Ireland where in 2021, trafficking for the purposes of sexual exploitation accounted for 57 per cent of trafficking cases and 'victims of trafficking for sexual exploitation remain almost exclusively female, with rare exceptions'.¹⁵⁸ While girls and young women are targeted, groomed, recruited and coerced from impoverished regions of the world to supply the demands of the growing sex trade in destination countries including Ireland¹⁵⁹, official data on the numbers of children trafficked for sexual exploitation is unclear. That said, research studies

148 AikDwA (2022) *op cit.*, p.39.

149 Cosgrove *et al* (2016) *op cit.*

150 ECPAT International (2018) *op cit.*, p.12.

151 Cosgrove *et al* (2016) *op cit.*

152 See Part 4 of the *Domestic Violence Act 2018*, repealing section 31 of the *Family Law Act 1995* and section 2 of the *Registration Act 2004* (Irish Statute Book (2018) *Domestic Violence Act 2018*. Available at: <https://www.irishstatutebook.ie/eli/2018/act/6/enacted/en/html> (accessed 23 June 2022).

153 Section 38 of the *Domestic Violence Act 2018* criminalises 'violence, threats, undue influence or any form of coercion or duress' for the purpose of 'any religious, civil or secular ceremony of marriage, whether legally binding or not' of an Irish citizen or resident, in or outside the State. Facilitating travel for the purposes of forced marriage is also an offence (Irish Statute Book (2018) *op cit.*).

154 EU (2011b) *EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims*, Article 2. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32011L0036> (accessed 26 January 2022); RCNI (2022) *op cit.*, p.81; UN General Assembly (2000) *op cit.*, Annex 2, Article 3c.

155 Irish Statute Book (1998) *Child Trafficking and Pornography*. Available at: <https://www.irishstatutebook.ie/eli/1998/act/22/enacted/en/print> (accessed 22 June 2022); Irish Statute Book (2008) *op cit.*; EU (2011b), *op cit.*; UN General Assembly (2000) *op cit.*

156 Barnardos (2017) *op cit.*, p. 13.

157 UNODC (2020) *Global Report on Trafficking in Persons 2020*. Vienna: UNODC. Available at: https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTIP_2020_15jan_web.pdf (accessed 28 November 2022).

158 IHREC (2022b) *op cit.*, p.13.

159 Kelleher Associates, O'Connor, M. and Pillinger, J. (2009) *Globalisation, Sex Trafficking and Prostitution: The Experiences of Migrant Women in Ireland*. Dublin: Immigrant Council of Ireland.

estimate that between 12 and 45 per cent of females enter prostitution or are trafficked for sexual exploitation as minors.¹⁶⁰

In Ireland children have all but disappeared from Irish trafficking statistics dealing with sexual exploitation in recent years.¹⁶¹ It is argued that this disappearance is not because trafficking of children for sexual exploitation in Ireland does not exist but that we are ‘not screening for it’¹⁶² as well as ‘the enduring confusion surrounding how child trafficking is conceptualised in Ireland’ and especially so in official data.¹⁶³ In particular, the IHREC (2022b) notes the reclassification of data by the Department of Justice in 2017 led to a significant reduction in the number of offences recognised as trafficking of children for sexual exploitation although the reasons offered for its reclassification were deemed ‘vague and difficult to substantiate in any meaningful way’.¹⁶⁴ While accepting that ‘some offences under section 3(2) of the 1998 Act do not involve an element of trafficking’, the IHREC (2022b) warns that this ‘does not exclude the possibility that some offences may include an element of trafficking’ and as such ‘there is a real risk that the reclassification of data collection ...may obscure the true extent of child trafficking in the State’.¹⁶⁵ This concern was also raised by GRETA (2022) who urged the Irish authorities to put in place a robust child protection system capable of enabling the identification of trafficking indicators amongst Irish and EU children, and by providing further training and tools to stakeholders.¹⁶⁶ In October 2022, Tusla, Ireland’s State Child and Family Agency, announced that over 500 members of its management and staff will be trained to identify signs of child trafficking,¹⁶⁷ which amounts to the training of approximately ten per cent of its workforce.¹⁶⁸

Certainly previous research evidence suggests that despite a robust legislative framework, vulnerable children continue to be trafficked into and within Ireland. In 2009, research revealed that 11% of females trafficked into sexual exploitation were minors.¹⁶⁹ In its review of the annual reports from the Department of Justice’s Anti-Human Trafficking Unit in Ireland and the US State Department’s Trafficking in Persons Report, the Immigrant Council of Ireland (2014) confirmed a continuing trend of trafficking of children into and within Ireland for the purposes of sexual exploita-

160 Clarke *et al.* (2012) ‘Age at entry into prostitution: relationship to drug use, race, suicide, education level, childhood abuse and family experiences’, *Journal of Human Behaviour in the Social Environment*, 22(3), pp. 270-289; Farley *et al.* (2003) *op cit*; Zimmerman *et al.* (2006) *Stolen Smiles: The Physical and Psychological Health Consequences of Women and Adolescents Trafficked in Europe*. London: London School of Hygiene and Tropical Medicine.

161 Breen, M., Healy, A.E. and Healy, M.G. (2021) *Report on Human Trafficking and Exploitation on the Island of Ireland (HTEPII)*. p. 77. Limerick: Mary Immaculate College.

162 Hennessy, M. (2020) ‘You’re not screening for them: Concern that trafficked Irish children are falling through the cracks’, *The Journal*, Monday 16 January. Available at: <https://www.thejournal.ie/child-trafficking-ireland-5016343-Feb2020/> (accessed 16 January 2023).

163 IHREC (2022b) *op cit*, p.124.

164 For instance, one of the reasons given by the Department of Justice for the reclassification was that ‘the offence has been committed against an Irish child, without the involvement of a third party and without any commercial element in circumstances where the offender is usually known to the victim and the offence has occurred without any significant movement or “act”....’ (IHREC, 2022b, *op cit.*, p.124).

165 *ibid.*

166 GRETA (2022) *Evaluation Report Ireland – Third Evaluation Round Access to justice and effective remedies for victims of trafficking in human beings*. September, p.5. Strasbourg: Council of Europe. Available at: <https://rm.coe.int/greta-third-evaluation-report-on-ireland/1680a84332> (accessed 29 November 2022).

167 Conneely, A. (2022) ‘Workshops to help Tusla staff identify the signs of child trafficking’, *RTE news*, 12 October, Available at: <https://www.rte.ie/news/ireland/2022/10/12/1328686-tusla-child-trafficking/> (accessed 20 December 2022).

168 This percentage is calculated on the basis that Tusla had a total staff headcount of 5,069 staff at 31 December 2021 (Tusla – Child & Family Agency (2022a) *Annual Report & Financial Statements 2021*. p. 95. Available at: https://www.tusla.ie/uploads/content/Tusla_Annual_Report_and_Financial_Statements_2021.pdf (accessed 30 January 2023).

169 Kelleher Associates *et al.* (2009) *op cit.*

tion.¹⁷⁰ The Council of Europe (2022) stressed that Ireland continues to be a destination country and is increasingly becoming a source country as well, for child victims of trafficking for sexual exploitation.¹⁷¹ Similarly, the US State Department's Trafficking in Persons Report (2022) indicated that traffickers subject 'Irish children to sex trafficking within the country'.¹⁷² This is also supported by O'Connor and Breslin (2020) who revealed evidence of a high level of organisation between international trafficking networks and the Irish sex trade, with different criminal networks operating chains of supply, some embedded within the sex trade in Ireland and others grooming and recruiting women and girls in their origin countries and bringing them here for sexual exploitation.¹⁷³ Hence it is important to pay attention to IHREC's (2022b) recommendations for 'the Department of Justice to disaggregate child trafficking data by type of exploitation in all future annual reports' and to distinguish between 'cases that involve trafficking of children for sexual exploitation and those which involve sexual exploitation of children simpliciter (i.e. without any element of trafficking)'.¹⁷⁴ In addition, IHREC (2022b) recommends that 'child trafficking be specifically included in the Children First Guidelines to ensure a broadened understanding of the phenomena of child trafficking' and that Tusla charged as they are with responding to child victims of trafficking, not only 'capture and report on cases pertaining to trafficking of children' but that it 'be provided with adequate staffing and expertise to ... detect and prevent the trafficking of children'.¹⁷⁵ Such efforts should go some way in addressing the Special Rapporteur on Child Protection in Ireland's (2021) call to 'prevent, detect and prosecute child trafficking' in Ireland.¹⁷⁶

2.5 Risk factors associated with the sexual exploitation of children

While there is a societal discomfort around accepting that sexual exploitation can affect any child and can happen anywhere¹⁷⁷, nonetheless this is the case, especially for online sexual exploitation of children, requiring us to be always vigilant.¹⁷⁸ That said, specific life experiences are frequently associated with the risk of sexual exploitation which, in turn, make some children more vulnerable to sexual exploitation than others. These experiences include prior sexual abuse or neglect, family dysfunction, being in care, poverty, alcohol and drug misuse, going 'missing' or running away from home or a care placement, disengagement in education, low self-esteem, disability, involvement with gangs, young age of first sexual experience, or peer introduction to exploitative older men.¹⁷⁹ In addition, the Special Rapporteur on Child Protection in Ireland (2020) noted that 'child homelessness has been identified internationally as creating a heightened risk of sexual

170 Immigrant Council of Ireland (2014) *op cit.*, p.2.

171 GRETA (2022) *op cit.*

172 US State Department (2022) *Trafficking in Persons Report*. July. p. 302. Available at: <https://www.state.gov/wp-content/uploads/2022/10/20221020-2022-TIP-Report.pdf> (accessed 29 November 2022).

173 O'Connor, M. and Breslin, R. (2020) *Shifting the Burden of Criminality: An Analysis of the Irish Sex Trade in the Context of Prostitution Law Reform*. Dublin: SERP. Available at: <https://www.ucd.ie/geary/newsevents/news/text,523382,en.html> (accessed 26 January 2022).

174 IHREC (2022b) *op cit.*, p.25.

175 *ibid.*, p.19.

176 Special Rapporteur on Child Protection in Ireland (2021) *Annual Report of the Special Rapporteur on Child Protection submitted to the Oireachtas*, June, 14th Report, Professor Conor O'Mahony, Available at: <https://www.gov.ie/pdf/?file=https://assets.gov.ie/214234/9e893871-ecb7-4a28-879a-d0a83d5bc7e2.pdf#page=null> (accessed 17 February 2022).

177 Beckett and Pearce (2018) *op cit.*, p.1.

178 DHHS (2017), *op cit.*, p.11.

179 Beckett (2011) *op cit.*, p.4; Franklin *et al.* (2018) *op cit.*; DHHS (2017) *op cit.*, p. 10; Jay *et al.* (2022) *op cit.*, pp. 27-29.

exploitation and human trafficking' (p.8).¹⁸⁰ This is supported with evidence in Ireland of young Irish girls who experienced homelessness and drug dependency being sexually exploited through prostitution.¹⁸¹ Franklin *et al* (2018) warn that it is difficult to determine with any confidence whether these factors increase the risk of the sexual exploitation of children.¹⁸² For example, although drug and alcohol misuse was identified in many sexual exploitation of children cases, it was not clear whether such misuse occurred following sexual exploitation or was supplied by the perpetrators in order to exploit children.¹⁸³ Hence more research is required in order to obtain a clearer understanding of the link between these indicators and the pathways that lead to the sexual exploitation of children.

There are, however, two factors according to Franklin *et al* (2018), in which we can have confidence of being associated with increased risk of sexual exploitation – children in residential care and children with disabilities.¹⁸⁴ Children with disabilities, in particular those with intellectual and mental disabilities, may have a limited understanding of social cues and social interaction, thereby making them more vulnerable to grooming and sexual exploitation.¹⁸⁵ Studies showed that children and adolescents with intellectual disabilities did not know that it was illegal for an adult to have sex with a child and reports made by children of sexual exploitation were not taken seriously by adults because of their disability.¹⁸⁶

Children in residential care, according to Beckett (2011) are one of 'the most vulnerable and disadvantaged groups in society'.¹⁸⁷ As a result, they have an increased risk of being sexually exploited in a number of ways including in the commercial sex trade, especially when they are subjected to multiple placement moves that limit their capacities to develop trusting relationships and in turn, their abilities to differentiate sexual acts or demands and love.¹⁸⁸ Children in residential care are also reported as 'going missing' more frequently than children living at home or in other care arrangements which in turn further heightens their risk of sexual exploitation.¹⁸⁹ According to Roache and McSherry (2021) in an effort to fulfil a myriad of unmet emotional needs and lack of secure attachment driven by their unstable and traumatic childhoods or poor role models, children in care are frequently at risk of being sexually exploited to make that connection.¹⁹⁰ Such was the case in Coy

180 Special Rapporteur on Child Protection in Ireland (2020) *Annual Report of the Special Rapporteur on Child Protection submitted to the Oireachtas*, June, 13th Report, Professor Conor O'Mahony, Available at: <https://www.gov.ie/en/collection/51fc67-special-rapporteur-on-child-protection-reports/> (accessed 17 February 2022).

181 Whitaker, T., Ryan, P. and Cox, G. (2011) 'Stigmatization among drug-using sex workers accessing support services in Dublin', *Qualitative Health Research*, 21(8), pp. 1086-1100.

182 Franklin *et al.* (2018) *op cit.*, p. 983.

183 *ibid.*, p. 984.

184 *ibid.*, p. 982.

185 Roberts *et al.* (2015) 'Association of autistic traits in adulthood with childhood abuse, interpersonal victimisation and post-traumatic stress' *Child Abuse and Neglect*, 45, pp. 135-142.

186 Franklin, A. and Smeaton, E. (2018) 'Listening to young people with learning disabilities who have experienced, or are at risk of, child sexual exploitation in the UK', *Children & Society*, 32(2), pp. 98-109; Franklin, A. and Smeaton, E. (2017) 'Recognising and responding to young people with learning disabilities who experience, or are at risk of, child sexual exploitation in the UK', *Children and Youth Services Review*, 73, pp. 474-481.

187 Beckett (2011) *op cit.*, p.12. See also Khan, L. (2021) *Understanding the needs and what works for girls in the Children and Young People's Secure Estate: Literature Review [Online]*. Centre for Mental Health UK. Available at: https://www.centreformentalhealth.org.uk/sites/default/files/publication/download/CentreforMentalHealth_OutOfSight_LiteratureReview.pdf (accessed 22 June 2022).

188 Franklin *et al.* (2018) *op cit.*, p. 983. See also Beckett (2011) *op cit.*, p.96.

189 Beckett (2011) *op cit.*, p.39.

190 Roache, M. and McSherry, D. (2021) 'Understanding and addressing Child Sexual Exploitation (CSE) in residential care in Northern Ireland using a qualitative case study design: The residential social care worker perspective', *Child Abuse & Neglect*, 122, 105329, pp. 1-12.

(2009)'s study where many of the girls in residential care had multiple placement moves and overtly or covertly exchanged sex for money, drugs or cigarettes.¹⁹¹ A worrying development reported is the targeting by criminal gangs of these particularly vulnerable cohorts of children for sexual exploitation.¹⁹² In this regard, IHREC (2022a) welcomes Tusla and An Garda Síochána meeting to ascertain whether there are any potential links between young people in Tusla's care, identified as vulnerable to sexual exploitation, and information reported of a number of children been collected at hotels with concerns regarding human trafficking for the purpose of sexual exploitation.¹⁹³

When looking at the risk factors associated with the sexual exploitation of children, it is important to recognise the intersection between sexual exploitation and other forms of marginalisation of children. While disability is one example of how children are vulnerable to sexual exploitation, other forms of marginalisation including social class, gender identity, sexual orientation and race and how they intersect have resulted in children and young people being excluded from the 'social mainstream' (Buller *et al.*, 2020, p.11).¹⁹⁴ Such exclusion can accentuate their vulnerabilities to sexual exploitation due to their 'heightened exposure to perpetrators'.¹⁹⁵ For example, Rocha-Jimenez *et al* (2018) in their study of the sexual exploitation of female adolescents in Mexico, found that social isolation, homelessness, economic hardship and abuse were used as tools by perpetrators to force or trick young people into the sex trade.¹⁹⁶ Similarly Cody (2017) reported how some young people in Thailand were rejected by their families because of their sexual orientation and were forced to leave home, live on the streets and be sexually exploited through prostitution to survive.¹⁹⁷ Hence, as Beckett (2011) notes 'it is the interplay of these and other factors, together with exposure to someone who would take advantage of these vulnerabilities and inadequate protective structures to mediate against risks, that culminate in a young person being abused through sexual exploitation'.¹⁹⁸ Similarly Brown (2019) argues that while it is important to respond to the exploitation of children through the punishment of offenders, we must also ensure that our policies dealing with the sexual exploitation of children consider the impact of 'intersectional social divisions and social marginalisation' on shaping the 'actions of vulnerable young people' and move beyond just focusing on perpetrators or 'undesirable populations' (p. 624).¹⁹⁹

Concerns have also been raised about the risk of the sexual exploitation of children with the increased production and consumption of pornography and its dispersal into mainstream popular culture through TV, music and fashion. In May 2015, an estimated 1.4 million under 18s in the UK

191 Coy, M. (2009) 'Moved around like bags of rubbish nobody wants: How multiple placement moves can make young women vulnerable to sexual exploitation', *Child Abuse Review*, 18(4), pp. 254-266.

192 Roache and McSherry (2021) *op cit.*, p. 2.

193 Irish Human Rights and Equality Commission (IHREC) (2022a) *Contribution to the 4th Progress Report on the Fight against Trafficking in Human Beings in the European Union*, pp. 23-24. February. Dublin: Irish Human Rights and Equality Commission. Available at: <https://www.ihrec.ie/documents/Contribution-to-the-4th-Progress-Report-on-the-Fight-against-Trafficking-in-Human-Beings-in-the-European-Union/> (accessed 20 June 2022). p. 23.

194 Buller *et al.* (2020) Systematic review of social norms, attitudes, and factual beliefs linked to the sexual exploitation of children and adolescents', *Child Abuse & Neglect*, 104, pp. 1-17.

195 *ibid*, p.13.

196 Rocha-Jimenez, T. *et al.* (2018) "'He invited me and didn't ask anything in return" Migration and Mobility as Vulnerabilities for Sexual Exploitation among Female Adolescents in Mexico', *International Migration*, 56(2), pp. 5-17.

197 Cody, C. (2017) *Connecting the dots: Supporting the recovery and reintegration of children affected by sexual exploitation*. Bangkok: ECPAT. Available at: <https://ecpat.org/wp-content/uploads/2021/05/Access-to-Justice-Thematic-Report-Connecting-the-dots.pdf> (accessed 7 July 2022).

198 Beckett (2011) *op cit.*, p.4.

199 Brown, K. (2019) 'Vulnerability and child sexual exploitation: Towards an approach grounded in life experiences', *Critical Social Policy*, 39 (4), pp. 622-642.

accessed sites containing pornography²⁰⁰ while across Europe 20 per cent of those aged between 11 and 16 report having ‘seen sexual images on line’²⁰¹. In an Irish study of university students, 53% of male students reported first watching porn between the ages of 10 to 13 years compared to just over 23% of female students at this same age.²⁰² Exposure to pornography in this way normalises for children inappropriate sexualised behaviour and gives them a distorted understanding of sexual relationships. Girls, for example, may feel pressure to submit to male sexual expectations and engage in penetrative intercourse without condoms with multiple men or accept payment to engage in exploitative sexual activity.²⁰³ In this way pornography is being used to groom and lure children into sexually abusive relationships.²⁰⁴ Victims of trafficking are also being targeted as highlighted by the OSCE (2022) with ‘56 per cent of its States reporting cases involving production of pornography using trafficking victims’.²⁰⁵

While many practitioners in the UK have developed risk of the sexual exploitation of children checklists, care must be exercised not to conflate ‘risk’ with ‘harm’, in other words categorising a child as ‘at high risk’ when in reality they are already coerced, controlled and entrenched in sexual exploitation.²⁰⁶ We know that the signs of grooming and pimping are often missed by social services especially with young teenage girls who are often regarded as choosing to engage in sexually risky behaviour. The Rochdale investigation in Greater Manchester, UK is a case in point and raised many questions about the capacity and willingness of some practitioners to intervene. Following an extensive police investigation into a child sex abuse ring, 47 teenage girls were identified as victims of child sexual exploitation, after many failures of agencies to see and intervene in systems of pimping and exploitation. Nine men were eventually convicted of sex trafficking and other charges, including rape and conspiracy to engage in sexual activity with a child.²⁰⁷ In another investigation carried out into how South Yorkshire police responded to allegations of child sexual abuse and exploitation between 1997 and 2013, similar failures by the police force in protecting vulnerable children were reported.²⁰⁸ While no one knows the true extent of the sexual exploitation of children in Rotherham, it was reported

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- 200 DCMS (2018) *Age Verification for Pornographic Material Online*. London: DCMS. Available on: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/969545/RPC-DCMS-3101_3_-_Age_verification_for_pornographic_material_online_V2.pdf (accessed 10 February 2022).
- 201 Livingstone et al. (2014) *Children's Online Risks and Opportunities: Comparative Findings from EU Kids Online and Net Children Go Mobile*, LSE, London.
- 202 Dawson, K., NicGabhainn, S. and MacNeela, P. (2022) *Porn Report: Surveying students on pornography use and involving them in planning critical learning interventions*. Galway: NUI Galway. Available at: <https://www.consenthub.ie/wp-content/uploads/2021/12/The-Porn-Report.pdf> (accessed 29 November 2022).
- 203 Yar, M. (2020) ‘Protecting children from internet pornography? A critical assessment of statutory age verification and its enforcement in the UK’, *Policing: An International Journal*, 43(1) pp. 183-197.
- 204 Binford, W. (2018) ‘Viewing pornography through a children's rights lens’, *Sexual Addiction and Compulsivity: The Journal of Treatment & Prevention*, 25 (4), pp.415-444; United Nations Office on Drugs and Crime (UNODC) (2015) *Study on the effects of new information technologies on the abuse and exploitation of children*, Vienna: United Nations Office on Drugs and Crime. Available at: https://www.unodc.org/documents/organized-crime/cybercrime/Study_on_the_Effects.pdf (accessed 14 June 2022); Wright, P. and Randall, A. (2012) ‘Internet pornography exposure and risky sexual behavior among adult males in the United States’, *Computers in Human Behavior*, 28(4), pp. 1410-1416.
- 205 OSCE (2022) *op cit.*, p.29. The OSCE has 57 participating States (p.13).
- 206 Franklin et al. (2018) *op cit.*, p. 989; Jay et al. (2022) *op cit.*, p.77.
- 207 O'Connor, M. (2019) *The sex economy*. p. 26. UK: Agenda Publishing Limited; Airey, T. (2012) ‘Rochdale Grooming Vase: Victim's Story. *BBC News*, Manchester, 8 May. Available at: <https://www.bbc.com/news/uk-england-manchester-17914138> (accessed 23 February 2022).
- 208 Brown, M. (2022) Costly report into Rotherham police failings ‘lets down’ grooming survivors, *The Guardian*. Available at: <https://www.theguardian.com/uk-news/2022/jun/22/costly-report-into-rotherham-police-failings-lets-down-grooming-survivors> (accessed 23 June 2022).

that a ‘conservative estimate [of] approximately 1400 children²⁰⁹ were brutally abused and exploited over this period. Despite the UK government’s undertaking to ‘prioritise the institutional response to the revelations..., it is clear that the sexual exploitation of children by groups of associated abusers continues to be widespread, to a greater extent than official statistics indicate’.²¹⁰

O’Hara (2019) observes that ‘had the term “children abused through prostitution” been embedded in the language of child safeguarding and understood, the narratives of denial used by many Rochdale practitioners would have been much more difficult to sustain’.²¹¹ This observation is supported by RCNI (2022) who warns that ‘failure to use the correct language risks minimising or even erasing the experience of the child’ (p.7).²¹² Therefore, this study explores with professionals working with and on behalf of children the nature of, and context in which, the sexual exploitation of children occurs in Ireland with particular attention given to the targeting and grooming of children in the different forms that such exploitation can manifest.

2.6 Conclusions

In summary, the sexual exploitation of children is a complex issue that has proven difficult to define. As a result, collecting reliable and comprehensive data on its nature and scale is challenging which, in turn, can lead to inappropriate responses by professionals when dealing with victims of sexual exploitation. That said, some factors that are common to many of the definitions, and are therefore included in our broad definition of the sexual exploitation of children for this scoping study, show that the sexual exploitation of children is a form of sexual abuse of a person under 18, where the young person is manipulated, coerced or deceived into sexual activity in return for something they want or need or to the advantage of the perpetrator. There is an imbalance of power and the sexual exploitation of children can happen even if the sexual activity appears consensual as many young people may not consider themselves victims, believing instead that they are in a ‘boyfriend/girlfriend’ relationship or are getting something tangible in return for performing the sexual activity. The sexual exploitation of children can manifest itself in a variety of forms including through prostitution, online, in travel and tourism, through child or forced marriage and in the trafficking of children for sexual exploitation. While this categorisation is useful, it must be remembered that it may not capture all of the complexities of sexual exploitation especially as an individual child may experience multiple forms of sexual exploitation at different times in different domains. While online sexual exploitation can affect any child anywhere, other forms of sexual exploitation appear to be associated with cohorts of children and young people whose life experiences make them vulnerable including being in care, going ‘missing’ or running away from home or a care placement, intellectual disability, prior sexual abuse or neglect, alcohol and drug misuse, disengagement in education, low self-esteem, or peer introduction to exploitative older men. Finally, it was considered important to recognise the intersection between sexual exploitation and other forms of marginalisation as children can be further excluded from the ‘social mainstream’ which in turn can accentuate their vulnerabilities to sexual exploitation and heighten their exposure to perpetrators.

209 Jay, A. (2014) *Independent Inquiry into Child Sexual Exploitation in Rotherham 1997 - 2013 [Online]*. P.1. Available at: <https://www.rotherham.gov.uk/downloads/file/279/independent-inquiry-into-child-sexual-exploitation-in-rotherham> (accessed 23 June 2022).

210 Jay *et al.* (2022), *op cit.*, p.26. See also Townsend (2023) who reported that scores of asylum seeking children are disappearing from hotels run by the Home Office in the UK and targeted by criminal gangs (Townsend, M (2023) ‘They just vanish’: whistleblowers met by wall of complacency over missing migrant children’ *The Guardian*. 21 January. Available at: <https://www.theguardian.com/uk-news/2023/jan/21/they-just-vanish-whistleblowers-met-by-wall-of-complacency-over-missing-migrant-children> (accessed 24 January 2023).

211 O’Hara (2019) *op cit.*, p.114.

212 RCNI (2022) *op cit.*, p.7.

“[T]he child is holding back. And they’re [children are] afraid to [tell] because these are criminals, essentially, and they threaten them and stuff before they divulge... they’re not in a safe place to be able to reveal, and you’re hearing about it historically.” (I/V1)

3. Methodology

3.1 Introduction

This scoping research study was exploratory in approach, seeking initial insights into the issue of the sexual exploitation of children and young people in Ireland.²¹³ It was consequently a qualitative study, designed to get a sense of the level of awareness of the sexual exploitation of children in its different forms amongst a small selection of stakeholders. The study was also designed to elicit from the stakeholders their perceptions as to the extent of this problem and the contexts in which the sexual exploitation of children occurs, as well as their opinions as to whether it is currently being experienced by the cohort of children and young people with whom they interact. Guided by a small number of broad open-ended questions²¹⁴, the semi-structured interviews adopted a form of ‘reflective interviewing’ whereby interviewees were given the space to talk about the issues surrounding the sexual exploitation of children of which they had experience and considered important to them.²¹⁵ The consultations with members of the Garda National Protective Services Bureau (GNPSB) and Tusla, the Child and Family Agency, were designed as a validity check of a kind. By presenting the initial findings of the scoping study and getting their responses to the issues raised it was helpful to receive policy and other clarifications which are included in this final report. In the context of this study, the research is understood as an initial, but important, first step that is hoped will provide a valuable insight into the sexual exploitation of children and young people in Ireland and can be used to make recommendations for policy and practice and also inform and develop larger, more broad-based research studies.

3.2 Nature of interviews and selection of interview participants

The primary research comprised in-depth semi-structured interviews with 21 key stakeholders, as shown in Table 1, with diverse experience of working with, and representing, children across a variety of sectors including residential care, homelessness, education, social care, advocacy services and online policing throughout Ireland. An initial advisory interview was conducted with the Chief Executive of the *Children’s Rights Alliance* who not only provided valuable insights into her experience of the issue, but also suggested some key organisations serving young people, who might be approached to participate in the study.

In this sense, many of the respondents were contacted as a result of purposive, snowball sampling, whereby initial interviewees suggested others who might also have experience in this area. It is clear from the secondary research as outlined in the literature review, that certain cohorts of children and young people are more vulnerable to this kind of exploitation including children in care, children who become homeless, go ‘missing’ or run away from home or a care placement, children who have experienced prior sexual abuse or neglect, children with a disability, children who misuse alcohol and/or drugs or disengage from education. It was therefore important that key organisations and groups that worked with or represented these children and young people were included in our sample. In this sense, snowball sampling was seen as the best approach to achieve this. This led to interviews with 14 organisations involving 21 participants, as shown in Table 1, including six working directly or indirectly with children in care, four working with homeless or socially disadvantaged

213 For the purpose of this study, ‘children’ are defined as all persons under the age of 18. Children and young people are used interchangeably throughout the study as many young people do not identify themselves as children but instead as young adults.

214 The broad areas that the interview questions spanned are set out in the interview guide, a copy of which is included as appendix 1.

215 Roulston, K. (2010) ‘Considering quality in qualitative interviewing’, *Qualitative Research*, 10(2), pp.199-228.

children, three engaged in the education of children or those caring for them; two working to protect children online, three working to protect children from sexual violence and three advocating for children and young people more broadly.

Table 1 – Profile of Interviewees

Organisation	Focus of Interviewee work	Number Interviewed
An Garda Síochána (AGS) – Online Child Exploitation Unit	Online sexual exploitation of children	1
Barnardos	Support for socially disadvantaged children	3
Children’s Rights Alliance	National advocacy for all children to ensure their rights are respected and protected in law, policies and services	1
CyberSafeKids	Provision of educational services to protect children online	1
Daughters of Charity Child & Family Service	Provision of therapeutic support services to children and families	1
DEIS Community School ²¹⁶	Teaching and pastoral care	1
Dublin Rape Crisis Centre	Advocacy on the prevention of sexual violence	2
Empowering Children in Care (EPIC)	Provision of independent advocacy support to children and young adults in the care system	4
Focus Ireland	Support for children who are homeless	1
Irish Foster Care Association	Advocacy and support for foster families	1
Mecpaths	Awareness raising and education on child trafficking	2
National Youth Council of Ireland	Support for the youth worker sector to safeguard children and young people	1
Rape Crisis Network Ireland	Advocacy on the prevention of sexual violence	1
Tusla, Child and Family Agency - Garda Liaison	Identifying and developing policies and procedures to aid the reporting of sexual exploitation of children and act as bridge between Tusla and AGS	1

While it was hoped to draw on a broad range of expertise to inform this study, the timing of our study was such that it coincided with COVID-19 in the first instance and latterly the war on Ukraine, and therefore, it was not possible to garner input from certain relevant organisations. Our study is limited in this respect. In particular, input from NGOs working with migrants who may have experienced

²¹⁶ Delivering Equality of Opportunity in Schools (DEIS) programme was developed by the Department of Education and Skills to give tailored support to schools who have high concentration of disadvantage (Available at: <https://www.gov.ie/en/policy-information/4018ea-deis-delivering-equality-of-opportunity-in-schools/> (accessed 28 January 2023)).

trafficking for sexual exploitation is missing in this study. Despite their interest we were unable to schedule a time that was suitable to all parties as the war on Ukraine raged and many NGOs were fully occupied with providing supports for those refugees arriving in Ireland under the EU Temporary Protection Directive. In addition, organisations representing children with disabilities were not interviewed as we were informed in our advisory interview that sexual exploitation was not an issue that was coming up in discussion with them despite the literature that indicates that children with a disability, particularly of an emotional or mental health nature, are at higher risk of sexual exploitation.²¹⁷ Other issues relating to education and the shortage of resources for the provision of care were of more immediate concern to them. Hence the impact of disability on the sexual exploitation of children may be understated as a result and our study is limited in this respect. That said, it must be stressed that this study is not a prevalence study and does not seek to be representative of the experiences regarding the sexual exploitation of children by all professionals working with children in Ireland, or of the experiences of all the children they support. Instead, this research must be understood from the outset as a scoping study that takes an initial, but important, first step that is hoped will provide valuable insights into the sexual exploitation of children and young people in Ireland and can be used to make recommendations for policy and practice and also inform and develop larger, more broad-based research studies.

In addition to the advisory interview, a further 13 organisations were approached for interview - seven of which were identified during the advisory interview, a further five organisations as a result of advice obtained at these other interviews, and one organisation was self-selecting²¹⁸. All the participants were interviewed virtually via zoom by two researchers from the research team. Most interviews were conducted with one interviewee with three exceptions – in one case four representatives from a single organisation participated in the interview (EPIC), and in two cases, two persons representing each organisation participated (Dublin Rape Crisis Centre and Mecpaths). In summary, 21 individuals were interviewed from 14 organisations for this study. To facilitate the participants in speaking openly, it was agreed that their anonymity would be protected by not attributing any quote to individuals or organisations in the report. Hence, each interviewee is referred to using a number.²¹⁹

The interviews were guided by a small number of broad open-ended questions which included (a) interviewees' sense of awareness of the five different forms of the sexual exploitation of children as outlined in the literature review, (b) their thoughts on the degree to which sexual exploitation is affecting children and young people with whom they interact or advocate for and (c) any experiences they had of the sexual exploitation of children in their work and the context in which it occurs. While the interview guide provided a structure of topics that needed to be addressed based on the literature review as well as meeting the aims and objectives of the study as set out above, the researchers also allowed participants time to reflect and elaborate on the different topics driven by their own specific experiences. The interviews lasted on average 42 minutes and except for one,²²⁰ were recorded digitally and stored securely in an archive by the researchers in accordance with ethical guidelines set out by Human Research Ethics Committee at University College Dublin.²²¹

217 See Franklin and Smeaton (2018) *op cit*; Franklin and Smeaton (2017) *op cit*; Roberts *et al.* (2015) *op cit*.

218 Representatives in this self-selecting organisation became aware of the study and wished to share their experiences of the sexual exploitation of children with the researchers.

219 A number from 1 to 21 has been randomly assigned to each interviewee, for example, I/V1 refers to interviewee 1, I/V2 refers to interviewee 2 and so on up to interviewee 21, I/V21.

220 One interviewee asked for the interview not to be recorded digitally. She agreed for written notes to be taken during the interview instead.

221 This study was classified as a human subjects low risk study and received approval from the Human Research Ethics Committee at University College Dublin on the basis that it involved interviews with persons acting in their professional capacity rather than with anyone identified as being from a vulnerable group.

In addition to the interviews detailed above, separate consultations over zoom were held by members of the research team with two senior members of the GNPSB and ten staff members holding various senior positions in Tusla. The findings emerging from the research interviews were presented to them so that their responses to the issues could also be captured. Two further zoom consultations were held with two senior members of Tusla staff to obtain further clarity around the issues raised. Detailed notes were taken at these consultations which were then included with the findings set out in section 4 of this report.

3.3 Data analysis

Once interview data collection ceased, the interviews were transcribed verbatim and two members of the research team separately coded the transcripts. The coded transcripts were then analysed by each of the researchers for the purpose of identifying key themes and subthemes emerging in the data sets. The researchers met to review and discuss each other's codes and themes as a form of inter-rater reliability. The themes were also examined and re-examined by both researchers in order to cross check the identified themes to ensure confidence in their salience and reliability.²²² Issues on the margins were discussed and debated and while most differences were of emphasis rather than substantive they were agreed and incorporated following further team discussion.²²³ The next stage of thematic analysis entailed an iterative process of moving between the evidence and the literature on the sexual exploitation of children. The literature provided us with a thematic framework whereby the five forms of the sexual exploitation of children were identified, as were the contexts in which it occurred and the factors that placed children at risk of sexual exploitation. Moving between the literature and our evidence, and putting both in relation to each other, allowed us to further refine our thinking and our understanding of the sexual exploitation of children based on our new data. These efforts led to the development of a final focused set of findings which are presented in section 4 and on which we also based a number of recommendations.

3.4 Conclusions

In summary, this scoping research study seeks to glean initial insights into the issue of the sexual exploitation of children and young people in Ireland by interviewing 21 key stakeholders with diverse experience of working with, and representing, children across a variety of sectors including residential care, homelessness, education, social care, advocacy services and online policing. The study was guided by a small number of broad open-ended questions that sought to obtain a sense of stakeholders' level of awareness of the sexual exploitation of children in its different forms, their perceptions as to the extent of this problem and the contexts in which the sexual exploitation of children occurs, as well as their opinions about whether it is currently being experienced by the cohort of children and young people with whom they interact. Interviews were recorded digitally, transcribed, coded and analysed using a thematic framework that was informed by the previous literature on the sexual exploitation of children and debated and discussed by the research team until agreement was reached. The emerging interview findings were then presented to senior members of the GNPSB and Tusla in order to capture their responses to the issues raised. This led to the development of a final focused set of findings which are presented next in section 4.

222 Examples of emerging themes included 'discomfort around language', 'vulnerability to sexual exploitation', 'nature of predators', 'how sexual exploitation presents/ form it takes'.

223 For example, the location of the sexual exploitation of children in hotels was agreed as one of the contexts in which sexual exploitation of children occurs rather than the form of sexual exploitation of children in travel and tourism.

“So the children who are in care, they’re searching for that relationship, that connection. So we’ve had them to the extent of they’re leaving their foster placement, they’re running away from their residential placements because this person has manipulated them to such an extent that ... the level of control and power that they have over them, it’s very difficult .. and that sort of perilousness comes in”. (I/V17)

4. The Findings

4.1 Introduction

The following section describes themes revealed in the analysis of the semi-structured interviews conducted with 21 key stakeholders from 14 agencies with diverse experience of working with and representing children and young people across a variety of sectors, including residential care, homeless services, education, social care, advocacy services and online policing. Using a thematic framework informed by previous research on the sexual exploitation of children, the researchers continuously moved between the interview evidence and the key informing literature identifying and discussing the emerging themes. This led to the development of a focused set of findings that is presented below. In reporting our findings we use the term ‘children and young people’ because many interviewees in the study used both terms in their conversations about the sexual exploitation of children. In order to protect the identity of the interviewees and the young people in their care whose cases they are discussing, all respondents have been anonymised and are referred to by an interview number as explained earlier in the methodology. Town and area names that they refer to have also been removed as a further identity protection. It should be remembered, that where participants refer to numbers of cases or the frequency with which a particular situation arises, they are describing their own experience or that of their organisation in their area. Therefore, these figures do not necessarily reflect prevalence on a regional or national scale.

The following analysis commences with an exploration of the contexts in which the key stakeholders saw the sexual exploitation of children and young people occurring. They note in particular its occurrence within the family, residential care centres²²⁴, when children go missing from care and in hotels. This is followed by a report on how and the extent to which interviewees recognise the sexual exploitation of children and young people in their work and the discomfort even among professionals around discussing its existence. The analysis then presents evidence of the difficulty of victimhood and agency in the sexual exploitation of children and young people and the vicious cycle of exploitation that may ensue. The specific forms of sexual exploitation of children – online, through prostitution and trafficking – encountered by participants are presented while also highlighting the forms that present less frequently, if at all. Issues surrounding the perceived level of organisation around the sexual exploitation of children and young people and how substance misuse is intertwined within it are also reported. Responses by senior members of the GNPSB and Tusla to these findings are then presented. The analysis is then brought to a conclusion.

4.2 The contexts in which sexual exploitation is occurring

Interviewees described instances of sexual exploitation of children that occurred within the family of the child or young person, and within residential care centres, with the bulk of the cases described by participants in this sample happening to children and young people who were in this latter care setting. There was one further case described where the sexual exploitation happened within the local community, but outside the family.

A girl from [name of place] went missing ... [the child phoned for assistance and she said] she was trapped in an apartment in [name of place]. And she's 13 and she was encouraged to go to the apartment by her cousin whose mother is in prostitution. And there were men involved ... but this girl, now, she said she was raped. (I/V6)

224 See Appendix 2 for an overview of residential care in Ireland.

It is worth noting again here, that this is a scoping research study, and many of the people we interviewed interact with, and provide services to children and young people who are in care, whether that be through foster placement in families, in residential centres, or in emergency services for homeless young people.²²⁵ Most of the cases of sexual exploitation of children discussed in this research were perpetrated on minors who were either already in the State care system, or who came into it subsequent to being a victim of sexual exploitation in their home or community.

One of the participants commented that she would be ‘*apprehensive about saying that most sexual exploitation of children cases involve children in care*’ (I/V16).²²⁶ Instead, she felt ‘*there was more of a lens on these young people as Tusla staff are educated on the issue and they therefore spot it more readily*’ (I/V16). She also noted, however, that children in the care of Tusla are vulnerable to sexual exploitation because the issues that brought them to the attention of Tusla in the first place, ‘*rendered them vulnerable anyway*’ (I/V16), and those who were ‘*previously subjected to abuse may have become desensitised to exploitation*’ (I/V16). It is also the case that as the literature review in section 2 demonstrated, there is ‘confidence in two factors being associated with increased risk of sexual exploitation - residential care and ... disabilities’.²²⁷ In relation to the first risk factor, our research certainly seems to confirm this, and while the presence of a learning disability was a common feature across some of the cases reported to the researchers, it was not highlighted as being as significant as the living and care situation of the victim.²²⁸

4.2.1 Sexual exploitation by family members

Some of the cases reported on by our participants involved children and young people whose sexual exploitation had been perpetrated or facilitated by family members, and as a result, the children were brought into the State care system in an attempt to protect them. In the first case below the girl’s father had sexually exploited the young girl, while in the second case, the mother pimped her daughter for others to sexually exploit.

[T]here was one girl in particular that I would have met there [in special care²²⁹] who would have been sexually exploited by her family and that was the reason that she would have been in special care at the time. She actually went through .. three Special Care Units. .. She was being bounced from one to the other. But again, that was due to sexual exploitation of her [by her] father, in particular. (I/V12)

Myself and [name of person], my colleague, in [name of place], have worked with a young lady over four or five years and the rumour always had been that she was being sexually exploited by her mother. That is still the rumour—the Gardaí are involved—but has never been proven...

225 In December 2021, there were 5,862 children in the care of the State. Almost 90% of these children (5,265) were in Foster Care, with 8% (506) in Residential Care and the remaining 2% (91) in other placements such as Supported Lodgings, a Disability Service, or a Detention Centre (Tusla, (2022b) *Strategic Plan for Residential Care Services for Children and Young People 2022-2025*. Office of the Director of Services and Integration. Dublin: Tusla – Child and Family Agency. p.4. Available at: https://www.tusla.ie/uploads/content/STRATEGIC_PLAN_FOR_RESIDENTIAL_CARE_SERVICES_FOR_CHILDREN_AND_YOUNG_PEOPLE_2022-25.pdf (accessed 18 July 2022).

226 As noted previously in the research methodology, this interviewee asked for the interview not to be recorded digitally. However, she agreed for us to take detailed notes, excerpts of which are included here.

227 Franklin et al. (2018) *op cit.*, p.982.

228 As highlighted earlier in research methodology, organisations representing children with disabilities were not interviewed for the purposes of this study. Hence the risk of sexual exploitation for children with disabilities may be understated in our study as a result.

229 ‘Special Care’ involves placements in ‘secure’ units as opposed to open residential centres, or family foster care. Tusla operates three special care units (Tusla, 2022b, *op cit.*, p.48). See also appendix 2 for further details on these units.

There is an ongoing investigation—or ongoing surveillance is probably the better term for it ... that this young lady, I think she's 20 at this stage, has been sexually exploited by her mother from the age of maybe 16 or 17. So certainly through the underage, under-18 group as well. (I/V12)

An intergenerational cycle of abuse and exploitation was evident in some of cases reported by interviewees. This was the case for two young girls who experienced sexual exploitation over an extended time (approximately 5 years) in residential care and subsequently, became involved in exploiting other young people.

This particular girl was one of a family of [number of children] and I was [in a professional supportive role] to all [number] of the kids. She was very confrontational and there were efforts made to put her—to find a foster placement for her, because it was very obvious she wasn't going to go home. Mother had a lot of issues and a fairly appalling background herself. But residential was the only—that turned out to be the only thing for her... I mean, she self-harmed a lot. She had very low self-esteem. And funny enough her sister is in residential as well and has been there for quite some time. But again like that, several foster placements were tried out and it just wasn't going to happen. Both girls had, we think ... probably experienced sexual abuse at some stage or other. Both were quite sexually active but usually with younger children. ... I mean, you know, organised the situations where they would be able to get a young person, you know, or a young child on their own and then engage in some sort of sexual activity. (I/V19)

This particular case also demonstrates that many children who have been sexually exploited have also experienced sexual abuse, domestic violence, neglect and have low self-esteem. The experience of stigma, betrayal and poor attachment can result in challenging behaviour, which affects placement stability.²³⁰ As one interviewee said 'for other young people the sexual exploitation occurs on the way into special care and it's part of the risk that gets them [there]' (I/V15). This highlighted risk accords with previous research discussed in section 2, which recognised that children with a history of familial sexual abuse are more likely to be sexually exploited subsequently.²³¹

4.2.2 Targeting of children and young people in residential care²³²

Care staff and those working with children and young people are aware of the risk from people from outside the care home environment who target vulnerable minors and sexually exploit them. There were many instances described by interviewees as the 'targeting of children in residential care' and in particular, the targeting of girls in residential care. These instances are supported by recent press reports that An Garda Síochána have an ongoing criminal investigation into an alleged child exploitation 'ring' that targeted teenage girls in State care, who were brought to hotels and allegedly sexually abused.²³³

[T]he residential centres certainly seem to be the place... If girls are in the residential placements on their own, they absolutely have been targeted there. And if they're sharing, if it's an all-girls unit, then certainly they will be targeted. Because there is the sense that these girls are very, very vulnerable and for some reason or other men in the areas are getting to know these places

230 Munro, E. R. and Hardy, A. (2006) *Placement Stability – A Review of the Literature*. UK: Loughborough University.

231 See Kelly and Karsna (2017) *op cit*.

232 At 31 December 2021, there were 177 residential care centres across Ireland comprising of 37 Tusla owned centres, 25 community and voluntary centres and 112 private owned centres (Tusla, 2022b, *op cit.*, p.18). See appendix 2 for more details about residential care centres in Ireland.

233 Power, J. (2022) 'Alleged sex abuse 'ring' targeting girls in state care being investigated', *Irish Times*, Friday 23 December. Available at: <https://www.irishtimes.com/ireland/social-affairs/2022/12/20/investigation-into-alleged-abuse-ring-targeting-girls-in-state-care/> (accessed 9 January 2023).

through the school links and through the internet... they are certainly being targeted by men in their twenties and thirties, you know, and maybe the girls they're meeting them through school or afterschool and, like as well, through the internet. (I/V12)

Apparently there is a group of men in [name of city] who have targeted this particular unit and who sort of try to befriend in inverted commas the various girls there. They're sort of being in the neighbourhood. It's quite close to the centre of town. So, you know, if the girls are going into town or anything, it's quite easy for the men to bump into them accidentally. Now, I know that this is a problem for the unit that, you know, there's a definite group targeting young women coming out of that. And I'd imagine that's replicated in other places. (I/V19)

On other occasions men were hanging around hotel lobbies to sexually exploit children that they knew were being accommodated there as a temporary State care solution.²³⁴

What is happening is that children in care are being accommodated in hotels and while there is a social care worker on site, the children are exposed to all kinds of stuff, including people who would exploit them sexually. (I/V1)

And you can bet your bottom dollar those fuckers—excuse my language—those guys who are targeting these girls very quickly get the lowdown on that [girls staying in hotels as a temporary State care solution] and they'll [those guys will] be hanging around hotel lobbies and—you know, anyway, but you just know...this is what happens. (I/V8)

[T]here have been many stories that we've heard about gangs of men who are exploiting these children under the care of Tusla in these hotels, or [they] take them out of the hotels for the purpose of sexual exploitation. (I/V20)

The overwhelming sense from these interviews was that there is constant pressure and worry amongst care staff about keeping the residents, the girl children and young people in particular, safe from predatory men who target the residential homes once they become aware of their location. Several studies analysing adverse childhood experiences of minors in residential child protection placements report a higher likelihood among these children, of experiencing repeat victimisation during their time spent in institutional care.²³⁵

And I suppose that's why, and rightly so, Tusla are so protective about who knows where their centres are, who knows where their units are, and that has to be the case. And there is that huge protective issue around how do we keep these children safe. And I suppose special care has to be—it is for children's welfare and, you know, I suppose because those cases tend to be placed in special care because they can't keep them safe within those other services. (I/V10)

In commenting on the dedication of the care staff one interviewee said 'they're as kind as they can be. They're as helpful as they can be. It's all about the child, it's all about the child's rights, the child's voice, and the child's welfare' (I/V15). However, as highlighted in the literature review, securing the children's trust to share their experiences of sexual exploitation is key to having their voices heard.²³⁶ Interviewees in this study worried that such trust may be threatened given staffing difficulties not only in terms of residential care units securing and maintaining continuity of social

234 From January to November 2021 there were 117 placements of children and young people, 72% of whom were aged between 15 and 17 years, in emergency hotel accommodation (excluding Separated Children Seeking International Protection) (See Tusla (2022b) *op cit.*, pp. 31-32).

235 Beckett (2011) *op cit.*, Franklin et al (2018) *op cit.*, Khan (2021) *op cit.*, Roache and McSherry (2021) *op cit.*

236 Beckett (2011) *op cit.*; Franklin et al (2018) *op cit.*

care staff but also due to difficulties in maintaining continuity in the social worker assigned to the young person in State care.²³⁷

There's a constant [care] staff turnover [in the private provider residential care units].., and poor systems [of oversight]. That creates conditions where we think there is an additional vulnerability for the children in those places. (I/V13)

If you could get more consistency and allow relationships to build up in residential units... You know, the turnover, particularly in child protection, is just dizzying. I mean, one particular social work team I'm dealing with at the moment I have no idea who the team leader for the child is, I have no idea if the child has been assigned a social worker, and I've no idea who the principal social worker is... The turnover in staff and the use of agency staff both in social work and in residential care though I would worry about. (I/V19)

The difficulties around staffing and that at the moment I think just throws up another vulnerability in it, particularly with the privates [residential care units run by private providers]. There's a lot of scrambling and competition for staffing within the different privates, so, you know, kind of it means they are scrambling a bit to pull services together and to get [care] staff in there. When [care] staff are under pressure and stretched it makes everything a bit more vulnerable across the board in what they're doing...so holding onto staff is a problem and the continuity of trust isn't there. (I/V11)

So the standards of care that young people are getting in the private providers vary both from one provider to another and from one area to another as well. (I/V12)

Tusla (2022b) reports that while retention targets for care staff in their residential centres have been met, absenteeism remains consistently high despite several targeted interventions.²³⁸ Whether this is also the case for private residential centres is difficult to say as there is no information available for absenteeism in these centres.²³⁹ A further concern raised by the interviewees above is the lack of proper oversight of the private centres especially when they believed the standard of care offered varied across the centres. These private residential centres are currently inspected by the Registration and Inspection Unit in Tusla but calls have been made for them to be inspected and monitored by the independent authority, the Health Information Quality Authority (HIQA), and in this way be subject to meeting the same standards as Tusla operated centres.²⁴⁰ As one interviewee pointed out:

[T]here is a problem with Tusla commissioning a private service, paying for it, and then supposedly also being responsible for oversight. There should be an independent body. So HIQA, for example, that inspects Tusla homes, should be providing the same level of oversight to private residential homes. (I/V13)

Whatever the solution, in this precarious environment, the level of predatory behaviour towards the residents is a further pressure, which endangers the children and young people in care and sometimes the staff too. One interviewee gave the following description of the kind of situation that had developed in a residential setting following the targeting of a girl in care who was being sexually exploited:

237 Tusla (2022b) reported that the lack of placements for children and young people around their local communities and support networks cannot only be challenging for the children but also for the social workers to maintain relationships with them (Tusla, 2022b, *op cit*, p.24).

238 Tusla (2022b), *op cit*., p.35.

239 *Ibid.*, p.35.

240 Tusla (2022b), *op cit*., p.43.

She [the girl in residential care] was practically running the centre as well because it was again inexperienced [social care] staff that was there. And they tried absolutely everything trying to keep her safe. Like [name of carer] was saying, there was curfews given to her. She was saying, 'No, I'm going off there, my boyfriend is coming.' Well, it ended up like there was a stream of cars outside there practically every night of the week, and worse at weekends. Like it became so bad at one stage that the staff had to lock her in one room and themselves in the office to ring the guards because they were threatening. Like, they were banging on the doors, banging on the windows and absolutely everything to try to get into the place. So it became a real danger and a flashpoint for everybody. (I/V10)

4.2.3 Missing in care and the risk of sexual exploitation

The risk of sexual exploitation in the residential care setting, as highlighted in the literature review, is heightened when children go missing or run away from a care placement.²⁴¹ Hence it is worrying that many interviewees reported children going missing when in care, a fact that is supported by Tusla (2022b) who reported that 'there are significant levels of children missing or absent'.²⁴² Tusla also reported that since 2017, 62 unaccompanied children seeking asylum in Ireland have gone missing from State care, 45 of whom remain unaccounted for.²⁴³

What we get is those young people who have maybe had a very chaotic lifestyle, who've maybe been living outside of their placements, being brought into very risky situations. They're also a high abscond risk, and when they abscond they go to the contacts, the people who tend to exploit them and then they become exploited again. (I/V15)

[S]he was going out and absconding. And like even that, the risk element that that presented, that she was then absconding to facilitate the relationship as well, you know. So then she became a missing-in-care child and, you know, so—yeah. (I/V10)

A young person that we'd been working with would have been encouraged to abscond with another young person who would have been picked up outside an open unit by her so-called boyfriend who would have then taken both girls and sexual assaulted both girls and then brought them to an apartment where they were sexually assaulted again and given drugs in order to achieve compliance. (I/V15)

Basically, it [sexual exploitation] arose because he [the boy] would abscond frequently and he would be seen in the [name of place] with either a man or men. (I/V19)

What is most concerning in the last case described above, is that the boy went missing on numerous occasions. Those charged with caring for him, as highlighted later in section 4.3, appeared not to follow up on the fact that he was being sexually exploited when missing, the impact that this exploitation was having on him, or how to protect him from further sexual exploitation.

While most interviewees believed that the residential centres report missing children to An Garda Síochána and to Tusla in accordance with reporting requirements as set out in *Children First Act, 2015*,²⁴⁴ some interviewees expressed frustration with how the cases were subsequently handled by

241 See Beckett (2011) *op cit.*, and Roache and McSherry (2021) *op cit.*

242 Tusla (2022b) *op cit.*, p.33.

243 Donohue, H. (2023) '45 unaccompanied children seeking asylum missing since 2017-Tusla' *RTE news*, Tuesday 31 January. Available at: <https://www.rte.ie/news/ireland/2023/0130/1352709-missing-children/> accessed 31 January 2023).

244 Irish Statute Book (2015) *Children First Act 2015*. Available at: <https://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/> (accessed 19 July 2022).

both authorities. They believed that some people in authority were not interested or did not appear to understand the risk that the children faced when they go missing, while one interviewee said that the response received was dependent on the particular Garda unit. Another interviewee feared that we have become desensitised to what is going on.

The guards were just interested in the fact that they had to pick him up, bring him back. The guards just weren't interested [in the risk of sexual exploitation while missing]. I think they were sick of this particular [residential care] unit. As one of them said, you know, 'can you not just lock the door?' And it was explained that 'no, the kids were not in special care, therefore they had to be allowed come and go as they pleased, and that the staff didn't have the power to actually stop them walking out if they wanted, that the only thing they could do was ring the guards and ask the guards to return the kids once they found them'. (I/V19)

The response from the State, from Tusla, has been uniformly poor. To leave kids in those situations for months and months on end... I mean, the last girl who left us who was in that situation, I literally had to—I had a very fractious meeting with a principal social worker and I said to her, 'I'm discharging her from this unit.' She said, 'You can't discharge her from the unit.' I said, 'I'm discharging her from the unit not because I don't want to try and look after this young girl, because I can't look after her.' It caused ructions because, you know—and I don't blame that social worker. That social worker's tearing her hair out, saying, 'Where the fuck am I going to put this young girl who's so vulnerable?' So everybody ends up tearing their hair out and not knowing what to do. But there are things that could be done... but nobody's taking a lead on it and everybody just stands over this system. And it's kind of like—it's almost like group think in some ways. People have become, you know, almost desensitised to what's happening. It's just we've been doing it so long—and myself included sometimes—we just become desensitised. This is the way the system is; we just accept it and that's it. (I/V8)

Some [Garda] units are better than others and some Gardaí are better than others. If you get a good inspector who sees this as an exploitation problem, you might get a good response, but I don't know that there's strategic training in the Gardaí. I've not seen any evidence of strategic training in the Gardaí of awareness... Well, I'm not seeing any evidence of strategic understanding of child sexual exploitation among the guards. You might get pockets of it where there are secure units, where over years they've built that practice... So you'll get good relationships built over time between individual guards in those units... You still have a little bit of work to do. (I/V15)

That said, some interviewees believed that procedures around children missing in care have improved in recent years especially in terms of the roles²⁴⁵ played by An Garda Síochána and Tusla.

There's missing from care protocols, kids gone missing from care protocols, and the guards are very much involved with that. And that's actually one area that has improved a bit in the last ten years. There was kind of a structure to this... And the number of missing from care is monitored. It also gets submitted to Tusla and there are people in Tusla who monitor this. (I/V8)

4.2.4 Sexual exploitation of children and young people in hotels

Hotels were frequently mentioned by participants as the location where the sexual exploitation of children occurred, with children and young people being taxied to the hotels from the residential units where they were being cared for by the State.

²⁴⁵ Interviewee is referring to procedures set out within the Joint Working Protocol for An Garda Síochána/ Tusla (see Tusla, 2017, *op cit*, p.22).

[I]n the last couple of years we've had some really dreadful cases of young people who were ... on a daily basis leaving the [residential] unit late in the evening and coming back early the next morning in taxis, sometimes in very poor shape having taken drugs, being picked up at hotels all around the city.... That was a bunch of people—I mean, they're taxiing these kids all over the city. They're calling them in the evening. They're bringing them to hotels and all the rest of it. (I/V8)

[T]hey [young girls] go to meet their boyfriend in a hotel room and there's like five other guys there and, you know, they have to do things with those other people. (I/V17)

However, as is evidenced above, some interviewees had difficulty naming the sexual exploitation that is likely to be occurring, instead using euphemisms like 'have to do things' (I/V17) or 'all the rest of it' (I/V8). Other interviewees reported that they were hearing from hotels across Ireland of their concerns that the sexual exploitation of children is happening on their premises. However, hotel management and staff were unsure or felt ill-equipped to deal with and report what they were encountering, further highlighting the inability or discomfort to name what they were seeing as sexual exploitation.

It's [sexual exploitation of children] not just in the cities that we're seeing it. It's the small discreet hotels around the country that are having experiences as well. (I/V21)

And it's the high-end hotels down to the budget hotels and all across the country... [they are saying] 'we are aware that there's an increased risk for exploitation and we want to put things in place to ensure that we're safeguarding children in our own businesses'. (I/V20)

[There would be] many stories from the staff [in the hotels] that would say 'we saw this, we knew there was something not right. We didn't know what to do. We didn't know who to call'. Hotels talking about the fact that an older gentleman would book into a room and an hour later a taxi would pull up and a young girl would get out of the taxi and go straight up to the room. And the manager on duty is going, 'I don't think she—she even looks like she's over 18,' but being disabled because (1) they don't have the language to put onto what they're seeing and (2) they don't know what to do when they're seeing it. So they don't have the confidence to be able to even report something that just isn't appropriate. (I/V20)

According to a number of interviewees hoteliers also feared the consequences – potential damage to their hotel's reputation – that may result from reporting their suspicions to An Garda Síochána that children are being sexually exploited in their hotels.

I suppose what we've seen really in relation to the hospitality industry is concerns have been flagged around the reporting piece. Staff asking the question 'do we ring the guards? Are the guards going to turn up outside our property with the blue lights flashing? What's that going to do for our industry? What's that going to do for our other guests?' (I/V21)

An additional complexity highlighted by interviewees was the hoteliers' inability to recognise that Irish children may also be trafficked for sexual exploitation.

[T]hey [hoteliers] have already assumed that it's [the trafficking of children for sexual exploitation] something that happens to non-Irish children that couldn't possibly be happening to Irish children in this country. (I/V20)

That said, there has been an uptake in training requests from hoteliers on the sexual exploitation of children in recent years driven in part by 'internal pressure within the industry to undergo anti-hu-

man trafficking training' (I/V21) but also by their desire to learn how to 'deal with and report on' (I/V20) the occurrence of the sexual exploitation of children in their hotels.

4.3 Recognising sexual exploitation and the extent of the problem

There is no prevalence data on the sexual exploitation of children and young people in Ireland which is due in part to the difficulties surrounding the definition of the sexual exploitation of children as outlined in the literature review in section 2. As a concept it is quite 'stretched', unwieldy and frustrating, being a subset of child sexual abuse. It includes many different forms of damaging dynamics and behaviours between perpetrators and victims and is, therefore, difficult to pin down and capture. Interviewees in this study reported similar struggles with the definition of the sexual exploitation of children highlighting its 'ambiguity', 'blurred lines' and the vagueness of exchange given the many forms it can entail.

I suppose one of the things that struck me is the blurred lines between how you're defining child sexual exploitation and use of the word which we have that is child sexual abuse. We tend to use the term child sexual abuse to cover a whole gamut or spectrum of abuse that happens to children and young people. (I/V2)

[T]here is a certain amount of ambiguity around the term sexual exploitation... and there is a real lack of understanding around what it is. I think one of our huge obstacles is battling just the use of terminology and how it's perceived by people, and the fact that, you know, sexual exploitation of children... there is this I think common understanding that that involves children who are from other countries, you know, who have been moved into Ireland, and there is a real I think a lack of understanding around the fact that Irish national children and EU national children living here can be sexually exploited. And it's like, oh, well, that happens to, you know, other—in other countries and to other nationalities but not here. And we know—I mean, there's numerous reports to point to, that would say differently. (I/V20)

It [exchange in sexual exploitation] doesn't have to be money; that exploitation is about transaction and it can be as much about status and, you know, being with a guy who has a car than as about cash exchanging hands. (I/V7)

The primary objective of this research was to interrogate the *perceptions* of staff working with, and on behalf of, children as to the extent of the problem of sexual exploitation. We asked them if they thought it was an issue for the children and young people to whom they provide services and if so, how it was experienced by them. The differences in the responses were marked. For some participants, sexual exploitation was not an issue for, or relevant to, the cohort of young people they were dealing with.

I would say—not—in terms of sexual exploitation, I mean, I haven't heard of that. (I/V14)

I think we're kind of peripheral as well to what you're looking at... the nearest we got to exploitation where maybe there was value for an adult in proffering a child for sexual exploitation. And that could have been within families but there may have been others too. One of the most recent disclosures was a young woman who wasn't offered to others by her father until she was an adult. Although she was being groomed in advance of that. (I/V3)

I was just checking out with my colleagues before the interview here this afternoon.... Sexual exploitation wouldn't be something that we would get calls about. We actually don't even have a category to record it, to be honest with you, in the types of calls that we receive. (I/V18)

For other interviewees, they only recognised the sexual exploitation of children as a frequently occurring issue when they started to think about it or started to talk about it with their colleagues for the purposes of this research.

So it's funny, because initially when the request came through [to participate in this research] my thought was, oh, no, well, like, it's [sexual exploitation's] not really something we'd come across because it's not—we don't ... But then ... the more I thought about it afterwards... it's definitely an issue and like it feels like it's on the rise. I don't know if that's just because we're more aware of those types of things now so it's more on our brains when that type of stuff is coming in. But it definitely feels like it's being talked about more and maybe the people in the group are recognising more instances like when that's occurring. So I don't know if it's changing or if it's just that we're identifying it now. (I/V17)

It [the sexual exploitation of children] was far more prevalent when we started the conversation amongst ourselves yesterday. We said, 'Oh, my God—' Like, we thought we might know one or two, but there's twelve there now that I have listed and that's just from brief conversations with my six colleagues, like. ... And there's certainly—you know, all of my colleagues were saying the same thing. This is certainly something that needs to be looked at deeper. You know, we're only touching the surface here. (I/V12)

Many other interviewees were concerned about the sexual exploitation of children and young people either because of suspicions they had that the sexual exploitation of children was occurring or they had already identified cases of sexual exploitation among the children and young people in their care.

But a significant cohort of our work would be with children who are going through special care. And I have for a very, very long time been concerned about the sexual exploitation of many girls, but also boys, in the special care population. (I/V15)

It's [sexual exploitation] not rampant, but I suspect we only get to know about a very small amount of it. I've always had the feeling it's there in the background, and lots of suspicious things have happened and happen all the time, but young people tend not to talk about it very much... [care staff] have suspicions all the time that things are going on, that things aren't quite right. You know, the signs are there that something is happening. .. And then, of course, there's other cases where it's blatantly obvious and we know that it's happening ... but there's loads of other cases where we're thinking there's something similar going on here, but we just don't have the evidence to support it. (I/V8)

Hence, it is clear that many of the participants were already very worried about some of the children and young people in their care in relation to the individually abusive nature of the 'relationships' they were engaged in and their 'risky behaviour' but often, the participants simply had not connected this with the sexual exploitation of children or had not noted the frequency with which these issues of sexual exploitation were arising for them. For these interviewees, in a sense, the sexual exploitation of children seemed to be part of the landscape of their work, without being specifically identified and discussed as a category. In that sense, they were not recognising the sexual exploitation of children and if they were not recognising it, then they were therefore failing to record the sexual exploitation of children and young people as such and in turn failing in their response to it.

This inability to recognise the sexual exploitation of children is apparent in the following excerpt, whereby a young person whose sexual exploitation during his time in residential care was not being

recognised by the staff caring for him despite all the obvious danger signals that the boy was being sexually exploited. These danger signals, as highlighted in the literature, included the boy's learning disability, being in residential care and going missing frequently.²⁴⁶ The importance of training in this area is clearly displayed here in that the child support professional giving the interview describes how attending a conference session on this kind of sexual exploitation had made it much more salient for him and as a consequence, he was able to advocate for the minor. Unfortunately, in this case, despite his best efforts, the advocacy was unsuccessful and the child was left in a deeply exploitative situation.

[A]nother one that sticks out in my mind and mainly because of the lack of reaction of other professionals ... was a young man with a learning difficulty and a lot of other problems, who was in residential care in [name of place]. But he was definitely targeted by men. ... He would arrive back [with a] new videogame, mobile phone, and things like that, and with unexplained sums of money. And he was definitely being targeted because the men would arrive sort of in the area, he would leave the unit, he would vanish, and then he would come back. And at the time it screamed [of sexual exploitation]—I think I'd just been to a conference in Belfast and one of the themes was the exploitation of young people in care. And you know yourself when you come back from conferences and you're full of all this new information. Oh, I was saying that he needed to be moved, that as long as he stayed in this environment—the psychiatrist was saying that 'no, it would be very, very damaging to move him, that he'd made great progress'. The residential unit, again maybe I'm being cynical, but I got the impression they just, you know, they had this young person in, they were getting paid for him, they wanted to keep him, you know. And I think the thing that struck me about it was that nobody was taking on board just how serious this possibly was. Even just on a, you know, purely physical thing. Like, I mean, if he picked up an [STI] what might happen, never mind what the long-term damage was going to be. (I/V19)

4.4 Discomfort in speaking about sexual exploitation

Common across many of the interviews was the sense that the sexual exploitation of children is a difficult issue to talk about. This difficulty arose not only for the victims themselves, but also for those who are tasked with caring for and supporting them, and for society at large.

And I think it's an area that I think people find quite difficult to talk about..., I think society in general it's an area that people are uncomfortable to talk about. (I/V14)

There were several references to suspicions held by care staff that a child might be sexually exploited for example, but it seemed to them, almost impossible or somehow inappropriate to name the suspicions or discuss them with each other. Instead interviewees spoke of a 'whisper', 'rumour' or 'feeling'.

I even think there's still a bit of a whisper among professionals. I'm not sure that the full conversation's been really fully had out there, you know. And it's almost like by not—it's [sexual exploitation] named but it's not named, you know what I mean. Like, by not actually fully discussing it with—yeah, it's kind of like 'this is what we think is happening but we're not really sure'... and we need to kind of say, 'well, actually we know this has happened for this child and this needs to be—you know'. (I/V10)

[I]t was just again through the rumour mill that we heard, you know, of what [the sexual exploitation of a girl] was going on. (I/V13)

246 Beckett (2011) *op cit*; Franklin et al. (2018) *op cit*; DHHS (2017) *op cit*; Jay et al. (2022) *op cit*.

I don't know, but my gut feeling tells me it [sexual exploitation] is widespread but it's under the radar, in that I don't hear people—sort of I don't hear people jumping up and down and screaming about it, which maybe they should be doing. (I/V19)

Such discomfort is especially worrying in the light of evidence of the sexual exploitation of children reported in Rochdale and Rotherham in the UK, as discussed in the literature review, where many failures existed of agencies unable to see and intervene in systems of pimping and sexual exploitation of children there. Participants in this study are also concerned that sexual exploitation of children maybe widespread here but is not being talked about and instead is kept under the radar.

Interviewees also reported, in line with previous literature, that children and young people found it difficult, or were unwilling, to speak about their sexual exploitation with members of staff.²⁴⁷ Some explanations offered for this non-disclosure by children and young people included that it served as a defence mechanism for the young person who feared the perpetrators or being stigmatised if they disclosed it, or the child or young person may simply have been too traumatised by the sexual exploitation to speak of it.

I suspect they [victims] arrive in [for counselling] because they've experienced a recent rape and in the counselling relationship they may then discover for themselves a history of sexual exploitation. You know ... and of course it's part of the defence mechanism, not to name it as exploitation in that moment, but I would suspect that most of them are coming to that realisation retrospectively. (I/V7)

I think it takes time for them [care staff] to learn it's [sexual exploitation] happening, you know, because the child is holding back. And they're [children are] afraid to because, you know, these are criminals, essentially, and that, you know, they threaten them and stuff before they divulge.... they're not in a safe place to be able to reveal, and you're hearing about it historically. (I/V1)

It [sexual exploitation] might only come out when you've actually built up a good relationship with a child and that can take - for some children it can be six to nine months before that happens.... I think the sexual exploitation of children, because it's so hidden and because there's all issues around shame and guilt and all that, that maybe it hasn't come out yet but probably will in the future, like kind of all the abuse scandals and stuff. (I/V5)

And I arrived back [to the residential care centre] just after the two girls had arrived back. They'd had a fight and my girl was in such a distressed state over what had happened she couldn't tell me at the time. She was saying to me, you know, 'Something happened, I'm not telling you, but something happened.' And over the months, in fact years, that I've been working with her since—well, it's over two-and-a-half years at this stage—she's told more and more about what actually happened on that night and the different events, but at first it was, 'yeah, we went off, yeah, I did drugs'—bravado—and then you could see the trauma and she would say 'this was awful.' (I/V15)

The interview excerpts above show that professionals in positions to care for and support children and young people also found it difficult or were uncomfortable speaking about the sexual exploitation of children. For example, except for one interviewee (I/V7) who used the word 'rape', other practitioners do not use language like 'sexual assaults', 'forced to participate' in sexual acts, or 'rape'. Such discomfort is further illustrated in the following excerpt which describes how car-

247 See Beckett (2011) *op cit.*, Pearce (2018) *op cit.*

ers have to walk a tightrope between recognising the exploitation and naming it in a way that is non-judgemental so that the child will continue to engage with them, especially if the child does not believe the situation is exploitative.

I think where they're [carers] trying to strike the balance in [that] they don't want to be too, you know, not derogatory, but like expressly, you know, looking down on and are making a judgment on the young person, because I guess they're concerned that the young person won't come to them with information ... So I think there's probably—that's where definitely a fuzziness lies or they're like how far can we intervene on this? Because the last thing they want is for a young person to disengage with the service, because then they've no contact with them and they can't give them any support. So I think that's where they probably struggle, when a young person's not on board that this is an abusive or an exploitative situation, and they're trying to navigate how do I challenge this, how do I do the things I need to do but also ensure I can stay connected with this young person? (I/V17)

The final excerpt above raises a further concern that will be dealt with in more detail in the next section whereby there is a lingering sense that even raising the issue of sexual exploitation could make the child feel in some way to blame for their own exploitation and cause them not to disclose what is going on to the carer. Hence, it is important for the carer to have not only the language to use around sexual exploitation but also a clear understanding of the child as a victim, as someone to whom harm is being done in this situation.

4.5 'Difficult' victimhood and agency in sexual exploitation

While there is no doubt that some young people experience sexual exploitation as something that is entirely coerced, there are others who in very constrained situations and without effective family or community support, find themselves with a very reduced palette of choices and in the absence of anything preferable may appear to 'choose' the exploitation. This echoes, as discussed in section 2, what Coy (2016)²⁴⁸ referred to as 'choiceless choices' or the 'constrained choices' that Beckett (2019)²⁴⁹ described.

I'm aware of young people I've worked with who through drug addiction have started to get involved in very sexually risky behaviour. Like one young person who—and she was over 18 at this stage, but she would invite men down the alleyway and then once they'd handed over the cash the boyfriend would hit them over the back of the head and they'd both run. So that was drug-induced sexual behaviour and I think she—I'm not in contact with her anymore, but I think she moved into full prostitution after a period of time. (I/V15)

Children or young people who are very vulnerable, if they haven't got that relationship that gives them validation, affirmation, connection, 'I'm of value', they would look to get that, and where would they think they may be able to get that? And it could be then through a relationship which is sexually exploitative but they feel they're getting something.... It's very tricky for a young person whose attachments have been broken anyway. (I/V14)

So the children who are in care and they're searching for that relationship, that connection. So we've had them to the extent of they're like leaving their foster placement, they're running away from their residential placements because this person has manipulated them to such an extent that—you know, the level of control and power that they have over them, it's very difficult .. and that sort of perilousness comes in. (I/V17)

248 Coy (2016) *op cit.*

249 Beckett (2019) *op cit.*

Hence, the reality of some young people's experience of sexual exploitation, as illustrated by the interviewees above, is that it is not always driven by force or coercion, but it may also be induced by a perceived 'gain' on the part of the victim or a desire to please the perpetrator for whom the child may feel affection. Indeed, while many children and young people may not see themselves as victims, believing instead that they are getting something that they need or desire (affection, connection, relationship), there is nevertheless an imbalance of power whereby the perpetrator manipulates the young person's vulnerability. This existence of both a perceived benefit (love from a 'boyfriend') and a potential harm (manipulation - he's there with other men and is arranging for the other men to have sexual access to the child) is also illustrated in the case reported by the following interviewee. In this case, we observe that while the child appears to have agency in her choice to go to the house in question, we must recognise that this choice is constrained – '*she was a child in care, anything was better than her world*' (I/V10):

But in her world he was absolutely her boyfriend and she could not see what was the potential harm to her and the danger and the concern. And then, like, then she'd say, 'And, you know, I'll go down to the house and he's there with other men, you know, but he's my boyfriend.' But like, as I said, complete block as to the danger that he presented to her. And then also the age range ... at the time I met her I think she was 15, he was in his twenties. ... They're giving them money. They're giving them—taking them to nice places. .. And I suppose at the time when she was a child in care, anything was better than her world. (I/V10)

It is also important to remember as Beckett (2019) and Coy (2016) argue, that the exercise of choice does not equal culpability, nor does it negate the abusive nature of an act. Choices that children and young people make in these situations are highly constrained and very heavily influenced by external and environmental factors. This lack of understanding of the complexity hidden within the sexual exploitation of children is highlighted in the following interview excerpts where those responsible for the girls' protection see the girls' own behaviour as the problem rather than the perpetrators' exploitation of the girls.

You still have a little bit of work to do—like I've been to seminars with, you know, guards saying ... 'you know, sure, the girls go anyway. What are we supposed to do about it? Nobody told them they had to get into the car'. So you get that like kind of lack of recognition as to what's actually going on. But I've not seen evidence of any real kind of understanding of what this behaviour is about and what it actually means and what the impact of it [is]. (I/V15)

And then they [girls in care] kind of go down this path of they're just being exploited left, right and centre by everyone and then they become kind of labelled as that and it isn't taken as seriously. I do think that's a thing. I'd love to say it's not, but I do think it is. (I/V17)

Even if a child is getting something they want in exchange for sex, this does not mean the encounter is not abusive and the man is not a perpetrator of sexual exploitation. As pointed out earlier in the literature review in section 2, engaging in sexual activity with a person under 17 years (the age of sexual consent in Ireland) even if it appears consensual and involves no force or violence, is considered rape except in very specific circumstances as set out in the *Criminal Law (Sexual Offences) Act, 2017*.²⁵⁰ Furthermore, as Beckett (2019) argues, 'if we talk about children and young people placing themselves at risk or engaging in risk-taking behaviour, we are clearly locating the responsibility of the abuse with the child'.²⁵¹ 'Apparent' choice does however exist, and failure to recognise this will lead to ignoring abuse and harm in situations where a young person is seen to

250 Irish Statute Book (2017) *op cit.*, Section 17.

251 Beckett (2019) *op cit.*, p.37.

exercise some control. If those who are responsible for protecting children and young people do not recognise this, they will fail to see children and young people who are sexually exploited as victims, and therefore deny them the help and support that they need.

4.5.1 Vicious cycle of sexual exploitation

This failure to recognise victims because of their apparent exercise of agency, becomes further complicated when a victim of sexual exploitation is involved in another young person becoming a victim of sexual exploitation. In these cases, interviewees reported on the ‘vicious cycle’ of sexual exploitation whereby young people, who themselves are victims of sexual exploitation, are being encouraged/ coerced by the male predators into bringing other young people along with them in a similar way to what Melrose (2013) describes as a ‘partying lifestyle’.²⁵²

[W]e’ve had another case again where a young lady had been sexually exploited, ended up in a Special Care Unit, and then she had ended up sexually abusing another resident within that unit as well. So she was grooming other people for the people that she was being exploited for. So it was kind of the vicious cycle going around there. (I/V12)

She was in residential in [name of place] for oh, let’s say a good about four or five years and ... now, she had dreadful trouble in making friends of her own age group and generally interacting with groups and her social skills were [poor]. But at one stage, I think it was a group of older teenagers and young twenties in the town near where the residential unit was, seemed to latch onto her. So she would abscond. She would arrive back with a new phone at one stage. And she definitely would have been trying to encourage some of the other girls in the unit to come with her to meet these young men. (I/V19)

I won’t go into the details, but they [two girls] would have been sexually— and one of the girls would have seen that as consenting, that this was her boyfriend, but she was bringing another young person with her who wasn’t consenting. But who was prepared to stay away because she was being given substances which affected her [capacity] to consent to what was going on ... But it was literally the other girl’s so-called boyfriend [who] drove past the unit at 1 o’clock in the morning and kept driving past until he got her attention and the unit was powerless to stop the two girls from going out. And they [the care staff] were kind of pleading with the other girl, saying, ‘You know, look, we don’t want either of you to go, but for God’s sake don’t take her’, because we knew how vulnerable the other girl was. (I/V15)

A further concern was that victims of sexual exploitation would be labelled recruiters or abusers in this cycle, when what was needed instead was a deeper understanding of the factors that placed the children and young people at risk of sexual exploitation in the first instance, for example difficulty around social acceptance or learning difficulty.

And I think the thing that bothered me most—well, not most, but it did sort of bother me—was the way that some of the children could actually turn into recruiters and actually bring other kids on board and they would then be labelled, you know, as abusers themselves ... I think if you go back to the whole thing of difficulty in forming relationships and to rejection by sort of mainstream society or family or, you know, peer group or whatever, is I think a huge part of it. And I think too, you know, a mild learning difficulty probably goes into the mix as well. (I/V19)

However, while the participant above is not seeking to excuse the sexual exploitation by the young person of another young person, he is asking for a deeper understanding by practitioners of sexual

²⁵² Melrose (2013) *op cit.*, p.165.

exploitation in the hope that this cycle of exploitation can be broken. He points to the many risk factors that were already present for the young person (difficulty around forming relationships, rejection by family members and peers, learning difficulty) which pushed her to seek social acceptance elsewhere. Such vulnerability to emotional manipulation by predators was identified by Melrose (2013) when she explained that the main motivation for bringing other young people along was to curry favour with the men concerned.²⁵³ Hence it is critical that we understand and recognise such vulnerabilities and offer support to young people firstly as victims of sexual exploitation. It is only with this deep level of understanding of sexual exploitation of children that we can, as the participant above recognised, begin to break this vicious cycle.

4.6 Forms of sexual exploitation of children and young people

Throughout our interviews, participants spoke frequently of their experiences of three forms of sexual exploitation of children – online sexual exploitation and the sexual exploitation of children and young people through prostitution and trafficking, although not always naming them as such – while the remaining two forms of sexual exploitation of children (in travel and tourism and through child or forced marriage) were not experienced at all or emerged in a limited capacity.

4.6.1 Online sexual exploitation

Interviewees described incidents where they, or their colleagues, had experienced children and young people being sexually exploited online. They noted in particular the explosion of online sexual exploitation of children in recent years, driven by the increase in the use of smart phones and social media platforms by children and young people. Support for the increase in smart phone usage and social media platforms by children is provided by CyberSafeKids (2022) whose research on children's digital use in Ireland shows that 95% of 8-12 year olds owned their own smart device and 87% of 8-12 year olds had their own social media and/ or instant messaging account.²⁵⁴ This changed environment has given predators' access to more children and young people who they then attempt to groom very quickly.

In the last eight years I have seen enormous changes, from the types of [online] offending, to the sheer quantity of it ... a tsunami of offending has occurred. The principal reason for this is the growth in social media apps and the growth in smart phones. Smart phones are probably the biggest reason because they are portable and hand held, very easy for children to bring them to their rooms and all the video and photo functions. This made offending much more accessible to paedophiles. (I/V4)

Grooming happens quickly. It takes about ten lines of text to get what they really wanted. They use flattery.... Predators cast their net very wide - they won't focus on one platform, they'll focus on multiple. (I/V9)

Predators go on chat forums and start very quickly asking [children their] age, sex, location. For example, they ask them very quickly if they want to be in a relationship, have they ever kissed someone, etc.... They may approach 100 kids in this way to get one or two to engage with them. I have come across one offender who had done this to 500 kids, so he had to approach thousands of children to get 500. (I/V4)

Children and young people, on the other hand, whose lives exist so much online both in terms of

253 Melrose (2013) *op cit*, p.162.

254 See CyberSafeKids (2022) *Academic Year in Review 2021-2022*. Available at: <https://www.cybersafekids.ie/resources/#research> (accessed 16 December 2022).

the amount of time they spend there but also the profiles they present, are considered to be vulnerable to sexual exploitation, especially as they can be more trusting of the people they encounter online as reflected in their readiness to accept them as friends.

I think the internet, social media, just the ease of contact, manipulation of people through that medium, I think it's made it easier for the abusers and it's made the young people more vulnerable to it because young people, their lives are on the internet. (I/V8)

Kids don't see them as strangers, they are friends of friends so they believe it is safe to connect with them. (I/V9)

A number of interviewees believed, as reflected in previous literature²⁵⁵, that all children and young people, irrespective of their social class, were vulnerable to online sexual exploitation.

My experience is that online sexual exploitation of children is fairly classless. Your class background is generally an irrelevance. The same for offenders. There is no difference in class between offenders and victims in Ireland in this regard. (I/V4)

I would say ... it's everyone and anyone. It's like no, socioeconomic doesn't—there's no protective factor and there's no risk factor in terms of your socioeconomic status. (I/V7)

Some interviewees held contrary viewpoints believing that children and young people from disadvantaged backgrounds were more susceptible to this form of sexual exploitation.

Children from a lower social class are more vulnerable than children from higher classes because they are getting phones earlier and have less parental supervision. (I/V1)

I do think that people who are more disadvantaged are definitely more at risk. Obviously if you're from a disadvantaged background, your parents might not have the skills or the wherewithal to protect you or to know how to protect you, and if you're not getting the same level of supervision that you need then you can get involved in all sorts.... If you don't have computers at home, if your parents aren't literate, your parents have no IT skills, if your parents are drug-users or have addiction problems, they're not going to be checking up to see what websites you're using and who you're online with and everything like that because they're not able to do that. So I would definitely think that more disadvantaged communities would be more at risk absolutely. (I/V5)

Children in more disadvantaged areas are more at risk as there are fewer rules, less conversations at home, more likely to be watching over 18's games and more likely to have friends and followers.... There is also less parental awareness and intervention. (I/V9)

However, as previous literature suggests, it is a lack of parental supervision and monitoring of children's online activity that escalates children's vulnerability to this form of sexual exploitation.²⁵⁶ As one interviewee noted, the COVID-19 pandemic has meant that everyone is spending an increased amount of time online which, in turn, has led to an increase in the groups of children and young people exposed to the risk of online sexual exploitation.

I think the pandemic there's probably been more (online exploitation)... but I think the groups that were really vulnerable (young people experiencing homelessness, children in care or residential settings, LGBTQ+, trans community) it was already happening. I think where it in-

255 See Bailey (2017) *op cit.*, Davidson and Gottschalk (2011) *op cit.*, Pearce (2018) *op cit.*

256 See ECPAT International (2018) *op cit.*, p.9; Rudolph et al. (2022) *op cit.*

creased is people or young people who maybe wouldn't have necessarily fit into those categories were coming into contact with, you know, individuals online that they probably wouldn't have before because they just wouldn't have been online as much. (I/V17)

Interviewees reported on cases that included online sexual exploitation through grooming that then escalated to blackmail, and/or contact abuse. These cases involved children and young people being intimidated and coerced into providing sexualised images/videos of themselves which one interviewee *'definitely see(s) it as a stepping stone to assaulting a child'* (I/V1). This evidence of online grooming and its escalation to blackmail to provide intimate images and/or contact abuse accords with previous research in the field as set out in the literature review in section 2.²⁵⁷ The incidents of online grooming related in the interview excerpts below generally started as sharing self-generated sexual abuse imagery in return for a small 'reward' (alcohol, credit on gaming platforms or phone credit), but in nearly all cases the online exploitation escalated to extortion and intimidation.

[A colleague said] a girl he had known for the last three or four years - he had worked with her... huge exploitation through the internet. And that's where it started for her. And she was being promised... cigarettes, alcohol. And that led then to her posting images of herself online. And that then has come back, like they're now blackmailing her. (I/V12)

What's coming up [with the young people we work with] is that piece around, you know, sending nude images, videos, and then once they have one, a lot of exploitation occurs within that because then it's kind of a blackmail situation where they already have one selfie, 'now send me more, I'm going to send this to the rest of your family, your friends, your parents, your school', and young people then are in a terrible situation. (I/V17)

Abusers are very willing to incentivise their victims to produce more material for them, for example, they give them credit on gaming platforms, phone credit, iPhones.... They also go back to children they have abused previously and extort them for further images by saying 'I'm going to tell your parents, I'll post your pictures on Facebook'. (I/V4)

And another case that he [a colleague] had was a Chinese girl who came to Ireland on her own. She had then been sexually exploited as an unaccompanied minor. They'd then used that to blackmail her... The images and contacts were on her phone. (I/V12)

A further complexity highlighted by one interviewee in respect of the sharing of intimate images is that some children and young people feel a sense of empowerment, not harm, from sharing such images of themselves.

I think just it's part of the complexity of this, because you might have young people that feel really empowered and are taking these types of images of themselves and they don't feel in any way harmed by it and they're maybe sharing them freely themselves ... it came up recently in something ... where someone brought up about OnlyFans²⁵⁸ and under-18s having an OnlyFans account ... the person is under 18 and they've generated this type of images, they're in breach of the law. But they [young people] don't consider it abusive. They're like, 'This is great. I'm earning some pocket money. I'm in control of everything I create and share'. (I/V17)

The non-consensual sharing of self-generated highly sexualised images and explicit videos is not

257 See for example, Barnardos (2017) *op cit.*, ECPAT International (2018) *op cit.*, Insoll et al. (2022) *op cit.*, Livingstone et al. (2017) *op cit.*

258 OnlyFans is a subscription based online content sharing platform, now synonymous with hosting pornography which is created and shared primarily by young women, and subscribed to by predominantly male users.

only an offence under The *Harassment, Harmful Communications and Related Offences Act 2020*, as outlined in the literature review, but it leaves children and young people open to the increased risk of grooming and further sexual exploitation when such images and videos of them are shared across several platforms or peer to peer, without their knowledge.²⁵⁹ According to one interviewee predators ‘*will share hundreds or even millions of images*’ (I/V4) sometimes using ‘*peer to peer sharing*’ (I/V4) in the hope of obtaining that one video of the ‘*brutalisation of children that’s very sought after*’ (I/V4). Such widespread sharing makes it difficult for the authorities to track and remove all the images which is obviously gravely dangerous for children and young people.

Interviewees spoke of the difficulties faced by those caring for children and young people in terms of monitoring and stopping internet grooming. Care givers simply cannot be aware of every interaction that children and young people are involved in on their (frequently multiple) devices.

We also have some of the online stuff as well ... We’ve had a few cases of young people - explicit material. One girl more or less advertising herself online. I mean, as I say, you know, fifteen or sixteen years ago it was there but it wasn’t as organised or as easy to organise as it is now. I think the internet, social media, just the ease of contact, manipulation of people through that medium, I think it’s made it easier for the abusers and it’s made the young people more vulnerable to it because young people their lives are on the internet. ... And I think it’s both made it easier—it’s also hidden a lot of it because, well, for obvious reasons, we don’t have access. We’re not privy to what’s going on at 12 o’clock at night when a young person’s online. (I/V8)

Hence, interviewees believed in line with the OSCE (2022)²⁶⁰ recommendations, that tackling online sexual exploitation requires placing the responsibility on social media companies to make their sites more secure as well as restricting them from hiding behind a ‘*veil of privacy*’ (I/V4) which allow predators to remain anonymous.

Social media companies hide behind a veil of privacy - but being private shouldn’t mean being anonymous. People who are exploiting children online should be identified. (I/V4)

Regulation of the platforms, through blocking tools; age restrictions on inappropriate content. I don’t believe that they [tech companies] can’t do this [block access to inappropriate material]. (I/V1)

The onus is on the industry to ensure that their sites, any site that is going to be visited by a child, has adequate protections and safeguards put in place ... Platforms must put in place more safeguards - straight away no private chats, or no sharing possibility when it is a child account and they have the technology to know that it is a child account. (I/V9)

Interviewees also stressed the importance of education on digital safety for both children and their care givers as a way of protecting children from online sexual exploitation.

We are trying to educate parents about how to police and keep their children safe when they are using social media. We tell them to try and have a eyeshot of what your child is doing, or just open up a conversation about it, you know ... ‘how do you know that you’re talking to that person, have you ever seen them, have you ever spoken to them?’ (I/V5)

259 There have also been several ‘leaks’ of OnlyFans material discovered in Ireland and other countries. In February 2021 for example, the Irish Examiner reported that thousands of pictures and videos, mainly of Irish women, were shared on the Discord forum (a chat and instant messaging app) in November the previous year (See Moore, A., 2021 “Collector culture”: Thousands of non-consensual images of Irish women still being traded online’, *The Irish Examiner*, 19 Feb. Available at: <https://www.irishexaminer.com/news/arid-40230338.html> (accessed 20 June 2022).

260 OSCE (2022) *op cit*.

Our education system must include digital literacy. Children are accessing the online world at such a young age and with such a degree of independence that we have this responsibility to ensure that they are well prepared, well equipped.... Encourage children and young people to keep control of their data, their identity at all times – ‘don’t use your real name, don’t say your age or where you live or any personal stuff – keep conversation to the game’. (I/V9)

4.6.2 Sexual exploitation through prostitution and trafficking

As was highlighted earlier (section 4.3) participants spoke of the difficulties they had with the terminology and language relating to the sexual exploitation of children and young people more generally. This complication confused further the capturing and analysis of data on the sexual exploitation of children and young people through prostitution and trafficking. Instead, incidents involving children and young people being sexually exploited in these ways were sometimes categorised and counted more broadly as ‘sexual abuse’ for example, thus effacing not only the specific harms to the victims wrought by abuse through prostitution and trafficking, but also the context of the sexual exploitation and how it connects with larger systems and economies/markets of abuse. For example, the cases that the interviewees reported illustrated how children’s poverty and addiction intersected with sexual exploitation through prostitution.

I’m thirty years in [name of place] and maybe five times a year we would know about a child who was selling herself to boys at night ... and it was always around poverty and poor parenting, parents struggling, and then addiction. (I/V6)

And [young people] going out at certain times of the night, being picked up in taxis. Now we’re talking about kids here who have no money. You know, they’ve very little money anyway. And all of a sudden ... they have all kinds of new things and they’re being taxied hither and thither. (I/V8)

Yet, the transactional nature of the sexual exploitation, a common characteristic of sexual exploitation of children through prostitution, was highlighted by participants who reported that children and young people were given a variety of goods rather than money in exchange for sex acts.

The exchange involved in the exploitation is often not monetary – in the experience of the young people we work with, money is less frequently used, but beauty products and “Victoria Secrets” lingerie have been mentioned as recompense by the victims, and the transactions have also involved beauty procedures - botox or “fillers” for example. (I/V16)²⁶¹

[I]n a residential centre in [name of place], ... where there was a young girl, she was 16/ 15, 16 [years old] at the time, and she was being badly exploited by a group of men who would call practically every night of the week,... there was just a stream of cars there that she was going—and coming back then ... with new clothes, new jewellery ... this was her payment, bless her, for whatever was happening to her. (I/V12)

Interviewees also spoke of the extensive grooming of children and young people, predominantly girls, by predatory males that these forms of sexual exploitation entailed. As described in the literature review in section 2, the grooming is such that the victim believes themselves to be in a romantic relationship with their abuser but the relationship is typically characterised by an imbalance in power where the (usually male) abuser is older than the (usually female) victim.²⁶²

261 As this interviewee asked for the interview not to be recorded digitally, this excerpt comes from our detailed notes that were allowed to be taken during the interview instead.

262 See Department for Education (2017) *op cit*, Jay *et al.* (2022) *op cit.*, Tusla (2017) *op cit.*

[T]he young person doesn't consider this sexual abuse... They consider themselves to be in a relationship, usually with someone who's in their twenties, sometimes in their thirties, you know, and there's a lot of exploitation occurring within these, you know, relationships. (I/V17)

And sometimes they come into care because of risk of sexual exploitation. That would be one of the named risks, more for girls than for boys. I'm not aware of a male child who's come in through the risk of sexual exploitation but there may well have been some. And I can think of one or two cases where exactly that pattern of an older predatory male forming a relationship with a young person and the young person has been brought into special care because there's been no other way to protect them other than to bring them into special care. (I/V15)

In some cases described by the participants, the exploitative relationship led to what was labelled in the literature review as 'partying' related sexual exploitation where the victim is invited by their boyfriend to a 'party' where they are encouraged/ coerced/ pimped by their boyfriend to provide sex acts to multiple men.

Most of the ones [cases] that are coming up it's probably like over 14 [years of age]. Some are 12 and 13, but mostly over 14 [years of age]. So, you know, obviously, they're like, 'No, I'm grown. I know what this is,' and they don't necessarily understand the dynamics that are at play or the power imbalance that's there and, you know, situations where ... they go to meet their boyfriend in a hotel room and there's like five other guys there and, you know, they have to do things with those other people because this is what their boyfriend is telling them that they have to do. And the young person's not getting anything material out of it in the sense of like money or phones or anything like that but they're getting their like boyfriend's approval or love ... you know, that kind of transactional piece, whereas the person in question [boyfriend] is absolutely probably getting money or something, you know, from these other people. (I/V17)

I'm thinking of one particular case where, you know, a young person went out to meet a boyfriend and ended up being multiple raped by the boyfriend and his associates. (I/V15)

The above incidents involved young people who were in the care of the State, usually in residential care, being pimped out by their 'boyfriends' to provide sex to other men and the 'boyfriends' were then receiving payment for the sex acts the girls were asked or forced by them to provide. Other situations involved a child whose sexual exploitation through prostitution was facilitated by family members.

[A colleague had] worked with a girl, a 14-year-old girl, in the last two or three years whose relatives had rented out a room for her in the hotel for prostitution purposes. She was only 14 at the time and she had become known to social workers around those things then as well. (I/V12)

Although direct reference to the trafficking of children for sexual exploitation remains low in this study, it is important to remain mindful of the warning issued by the current OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, who was concerned that Ireland's policies on human trafficking were allowing victims, including Irish children who are victims of trafficking, 'to fall through the cracks'. He stressed that 'if you're not looking for or screening for them, it's going to be hard to find them'.²⁶³ These policies may also contribute to ambiguity or a lack of understanding in relation to what constitutes sexual exploitation and trafficking of children.

263 Hennessy (2020) *op cit*.

4.6.3 Limited experience of certain forms of sexual exploitation

While interviewees were asked about their experiences of the different forms of sexual exploitation of children identified in the literature review, one form did not feature at all (in travel and tourism²⁶⁴) and one form (through child or forced marriage) was reported by them in a very limited way.

Lower numbers [of child marriage] as well, yeah, lower numbers. But yeah, in some of the cases—I think this was ... kind of very young girls who were married off very, very young ... So they probably would be married abroad but then come back to Ireland. (I/V5)

Some years ago we had a couple of cases which came in with young people who were maybe 13, 14 who were being brought into the country and presented as married and where when we unpicked that, they were taken into care. (I/V15)

One interviewee mentioned a case which had elements of both trafficking and forced marriage.

[A] young person who was moved from [name of country] as a teenager into Ireland, down to [name of place], where she was married to an older man, had children with this man, and still resides in the country. So that would have been her experience of being trafficked as a teenager. (I/V21)

4.7 The perceived level of organisation of sexual exploitation

In this scoping research study, there were mixed feelings amongst the interviewees in relation to who was targeting residential care centres for the purposes of sexually exploiting the children and young people residing there. Some participants felt it was more opportunistic than organised, while most interviewees had the strong impression that there was an element of organisation whereby the sexual exploitation appeared to be perpetrated by coordinated networks, or gangs, of predatory men.

My impression is that they're a group of men who know each other but aren't necessarily organised as such; that there is this loose coalition of men who happen to have the same interests and who target the same area. (I/V19)

But there's groups of men. Clearly there's a ring of some kind in [name of place], because this is just going on over two or three years. These two cases I'm talking about are almost identical in the period of a couple of years and I just suspect it's exactly the same group of young men who are targeting girls, maybe four or five girls who are staying in the kind of services I'm talking about or maybe in some other residential units as well. But they're clearly targeting children in care. And I think it's only the tip of the iceberg what I'm seeing with my own eyes. (I/V8)

[The sexual exploitation at a named residential centre]... was definitely organised. Everybody has said that. It was the same group of men every night that was there. I think it was around half a dozen or whatever from recollection. So that was definitely organised. It wasn't just a haphazard thing ... it was the same men. So it was very, very well organised ... and maybe two or three of them coming the same night. And when the staff were trying to stop them, this is when it became like two or three cars coming up, because they were determined that this young lady is leaving here tonight, she's coming with us. You know, and then she could be gone for two or three days at a time. (I/V12)

²⁶⁴ The location of the sexual exploitation of children in hotels, as discussed in section 4.2.4, is seen as distinct from the sexual exploitation of children in travel and tourism which entails perpetrators intentionally meeting, or travelling with the intention of meeting a child or making arrangements with the intention of meeting a child for the purpose of doing anything that would constitute sexual exploitation of a child' (Irish Statute Book, 2017, *op cit.*, Article 7).

More blatant cases have been [with the] girls. And [it was] particularly organised ... But there have been cases of young men as well involved in prostitution, often involved in drugs as well. That's been there as well, but not in ... the same kind of routinised way that this was happening with some of the girls. (I/V8)

These experiences by the majority of participants are worrying and suggest the necessity for the joint working protocol developed by Tusla and An Garda Síochána, which gives special consideration for dealing with the organised element of the sexual exploitation of children, to be far more effectively implemented.²⁶⁵ While sexual exploitation by networks may not operate to the same extent as reported in the UK²⁶⁶, nevertheless one of the participants made the following comparison between their city and Rotherham (where drug-related criminality was closely interwoven with the appalling sexual exploitation of children that had been perpetrated there):

We haven't seen anything that's been as close to the kind of level of community organisation as, say, what went on in Rotherham, but we'd see small pockets of that. You know, like we'd see small community pockets of areas where these girls, these young women are being targeted mainly for drugs ... and it's about drugs and sex. (I/V15)

4.8 Substance misuse intertwined with sexual exploitation

Similar to the findings from previous research discussed in section 2, several of the participants in this research also noted the ways in which substance misuse is intertwined with the sexual exploitation of children and young people.²⁶⁷

They're not just preyed on then for sexual exploitation. Very common that they get involved with drug dealing, drug gangs. They also prey on them. There's probably a crossover of those two things as well. They often take drugs themselves then and very common for drugs to be used as a method of payment for sex. That's another pretty common thing. (I/V 7)

[T]hey're using drugs, but it's kind of, you know, come with us and we'll give you a party, you know, we'll give you the drugs, we'll—these are not young people who are using necessarily drugs for addiction, they're using drugs for recreation because they're looking for the buzz. You know, they're looking for the need to have a good time. And part of the sexual exploitation is out of that as well. It's this idea of getting out, getting off your head, and then whatever comes after that is inconsequential. (I/V15)

Drugs play a part. They're getting drugs from people. I think that last girl ... was saying, 'Oh, I can get any drugs I want from this taxi driver.' So she was getting—he was clearly in on the whole thing. In fact, the same taxi driver seemed to pick her up quite a bit, funnily enough. (I/V8)

One interviewee commented that 'kids are frequently initially targeted to act as drug mules and it is only later that sex becomes involved' (I/V16). Another interviewee reported that children as young as 8 years of age were seen to be exploited in this way by other children aged 12 years.

And what was happening in [name of park] is it's surrounded by a housing estate, but nobody had been going into the park for pleasure for about five or six years because 12-year-olds were

265 Tusla (2017) *op cit.*

266 See Brown (2022) *op cit.*; Jay (2014), *op cit.*; Jay et al. (2022) *op cit.*; Townsend (2023) *op cit.*

267 See Beckett (2011) *op cit.*; DHHS (2017) *op cit.*; Franklin et al. (2018) *op cit.*; Jay et al. (2022) *op cit.*; Whitaker et al. (2011) *op cit.*

selling drugs openly, and 8- and 9-year-olds were doing the running for the drugs in exchange for sexual favours, and the sexual favours were happening in the open in [name of park]. (I/V6)

4.9 An Garda Síochána and Tusla response to evidence of sexual exploitation

The issues surrounding the sexual exploitation of children and young people that were raised by participants in this study, in particular: the targeting of children and young people in an organised manner for sexual exploitation; the heightened vulnerability to sexual exploitation of children when they go missing from care; children being sexually exploited by pimps and perpetrators in hotels throughout Ireland; and the mixed response by agencies to reports of sexual exploitation, were put to senior representatives from the Garda National Protective Services Bureau (GNPSB) and Tusla. Their responses are reported here.

4.9.1 Sobering but not surprising evidence of sexual exploitation

There was a strong sense of awareness among those consulted in both the GNPSB and Tusla of the issues surrounding the sexual exploitation of children and young people. While representatives from Tusla reported not being surprised by the research evidence, they nonetheless found the evidence sobering and disturbing especially as they see themselves as the State ‘parent’ for these children and like any parent, when something goes wrong for a child, it hurts. They pointed out that keeping children safe was paramount to what they do. They admitted that at times they had failed in this task, not because of their unwillingness or their lack of recognition that a child needed to be moved to an alternative care placement for their protection, but because of a lack of residential places available to facilitate the child being moved. They hoped that their efforts to extend the provision of residential beds within the organisation over the next three years as reported in their residential care strategy would help address this failure.²⁶⁸ A further challenge reported by Tusla officials is their inability to secure a sufficient number of experienced and well-trained staff in care settings who are attuned to the risk factors associated with the sexual exploitation of children. Hence, they asked that the findings reported in this study are understood within the broader constraints in which Tusla has to operate.

Representatives from the GNPSB recognised that there was a limited understanding by Gardaí on the ground of the complex vulnerability of children to sexual exploitation, which while unacceptable, may help explain why participants had experienced mixed responses by Gardaí to reports of sexual exploitation of children in care homes. They hoped that the rollout of Divisional Protective Services Units (DPSU)²⁶⁹ across the country will lead to more consistency in Gardaí responses to sexual exploitation. However, they stressed that it was important that awareness raising and training of all frontline Gardaí, and not just personnel in the DPSU²⁷⁰, of the nature of sexual exploitation was still required in order that frontline Gardaí, as first responders, recognise and understand the risks of sexual exploitation and report their concerns up the line to the DPSU for further investigation.

The GNPSB representatives noted that training of frontline Gardaí around issues surrounding children that go missing when in care is also especially warranted in order to ensure that they,

268 Tusla plans to increase their capacity in public, community and voluntary provision of residential care by 104 beds and in private provisions by 6 beds by 2025 (Tusla, 2022b, *op cit.*, p.40).

269 These are dedicated units within An Garda Síochána which deal with all forms of sexual crimes against adults and children. Four units were set up in June 2017 and by September 2020, there was a unit in each of the 27 divisions with approximately 320 personnel including members at Inspector, Sergeant and Garda rank (Available at: <https://www.garda.ie/en/about-us/our-departments/office-of-corporate-communications/press-releases/2020/september/an-garda-siochana-divisional-protective-services-units-now-operational-nationwide-.html> accessed 20 March 2023).

270 They noted that training of 320 personnel in the DPSU has just been completed.

as first responders, are asking the right questions and are then reporting their concerns to the DPSU who can investigate these concerns further. Given the evidence in this research report, they feared that frontline Gardaí are not asking, and therefore not reporting, what happens to children in the period that they are missing, believing instead that their duty is done once the child is found or returned to the care home. Hence, they recognised the need to extend the training around children missing from care to all Gardaí and not just to personnel in DPSU. Tusla staff reported that the missing in care protocol is currently under review by a working group made up of key representatives from Tusla and An Garda Síochána and they expect that the revised protocol will be completed later in 2023. This protocol will deal with reporting pathways, the responses that both organisations should take when a child in care is identified as missing, the escalation process as well as prevention strategies. At present, representatives from Tusla noted that all missing in care reports are reviewed by staff in the Tusla National Garda Liaison office. This office is based in the GNPSB headquarters and includes a senior Tusla staff member who serves as a member of their child protection team. It is hoped that this co-location, by facilitating the sharing of all information relating to children between the GNPSB and Tusla, will allow for effective joint action by them on children's issues. As this office also has access to reports of any significant events relating to children, Tusla representatives believed this would allow for comparison and checks to be made between both reports, ensuring the 'joining of dots' and, in this way, serving as a further safety measure to identify indicators of the sexual exploitation of children.

4.9.2 Recognition of the complexity underpinning sexual exploitation

The complexity surrounding the sexual exploitation of children came to the fore in the consultation discussions and appeared to very much influence how both agencies were responding to it. Tusla representatives stressed that the difficulty for their staff in helping children and young people who are challenging to engage with cannot be underestimated. As some children who are sexually exploited may not necessarily see what is happening to them as sexual exploitation, they believed that it is important that Tusla staff are trained to understand the possible disconnect between a child's understanding of being sexually exploited and their vulnerability to it. In this respect they stated that Tusla has adopted a two phased approach.

In phase 1, Tusla worked with the GNPSB to develop a detailed Child Sexual Exploitation (CSE) procedure to help staff in both agencies in this area.²⁷¹ The role of this procedure is twofold – it serves as a signpost to staff of the key indicators associated with sexual exploitation and children's vulnerability to it, as well as providing staff with a reporting pathway. Since December 2022, an electronic notification system has been introduced between Tusla and the Gardaí which both agencies believe has aided the follow up of cases between them. Representatives from Tusla reported that training on this CSE procedure to their social work and social care staff, including staff in Tusla residential care units, was underway through an eLearning module and would be extended to staff in private residential care centres shortly. In the meantime, they stated that all residential care centres have been provided with a copy of the CSE procedure and have been requested to share it with their staff and discuss its implementation at staff meetings so that all their new staff are made aware of it. They also noted that at the quarterly meetings held in each social work area, the Garda liaison officer attends so as to ensure that the need for the CSE procedure and the vulnerability of children to sexual exploitation is regularly reinforced for Tusla staff, social workers and operational teams. In addition, they mentioned that risks and concerns relating to the sexual exploitation of children are included as a rolling item on the

271 A copy of the CSE procedure, which was developed in 2021, was provided to the research team. However, because of the extreme sensitivity surrounding its contents and the resulting operations that have been developed around its implementation in both agencies, we are limited in what can be disclosed in this research report.

agenda at the six weekly meetings held between senior staff in Tusla and the GNPSB, demonstrating the importance attached to the issue at the highest levels in both organisations.

Phase two of Tusla's operations is more future oriented and recognises the critical importance of a multi-agency, cross-community response to the complexity of the risks of sexual exploitation that exist for children and young people in care and elsewhere. Drawing on their learnings from their existing interagency model of practice for child sexual abuse, Tusla representatives reported that they had commenced work, using a case-learning approach, which looks at the risks retrospectively that exist for children in care, so as to better understand what safety can and should look like for children in these situations and help develop practices that safeguard children from sexual exploitation.

4.9.3 Overlap of sexual exploitation and trafficking

Representatives from the GNPSB believed that there was much confusion among the Gardaí, Tusla and the Director of Public Prosecutions (DPP) around child trafficking and its connection to sexual exploitation.²⁷² They reported that they were receiving a low number of referrals of child trafficking from Tusla and are concerned that the experiences of children in care who are being moved for sexual exploitation are not being reported by Tusla as incidents of child trafficking as well as incidents of sexual exploitation when, they may in fact, be both. GNPSB representatives are concerned that the Gardaí in turn are preparing their cases on the basis of these being incidents of sexual exploitation and that the DPP, on seeing the case files prepared by the Gardaí, is not recommending charges of child trafficking. They believe that training and awareness raising of all three stakeholder groups on the meaning of trafficking of children for sexual exploitation, is needed.

Similarly, representatives from Tusla reported on their struggle in trying to understand the distinction between child sexual exploitation and child trafficking. To help them with this struggle, they reported that they were developing a child trafficking strategy that is informed by the collaborative, inter-departmental, inter-agency and cultural discussion that is currently taking place in Ireland around child trafficking.²⁷³ In 2022, they reported that training on child trafficking for social workers and social care staff, including staff in Tusla residential care homes, commenced with approximately 600 staff being trained to date. Going forward, they stated that this training will be offered to all staff in Tusla as well as to key funded partners and foster carers.

4.9.4 Challenges of the incident-based criminal justice approach

Worries were expressed by representatives from both GNPSB and Tusla about how the incident-based criminal justice approach, which the Gardaí must follow, is quite restrictive, especially when children and young people are confused about the nature of sexual exploitation and may be reluctant to see themselves as victims of such exploitation. Under the current criminal justice system, in order for the Gardaí to pursue an investigation of possible sexual exploitation, they must have a complainant who is willing to report/cooperate and evidence of specific incidents of sexual exploitation. In recognition of these challenges, Tusla and the GNPSB have worked together to develop mechanisms whereby suspicious and concerning activity, which may not be related to a specific child, can be recorded, reported and monitored by the two agencies. Tusla representatives also reported that their ongoing efforts in developing greater awareness about child protection across the community has resulted in Tusla receiving more referrals about children in the commu-

272 The DPP decides whether or not to charge people for alleged crimes – that is, to 'prosecute' them. The DPP also decides what the charges should be. Once the prosecution begins, the Office of the DPP is responsible for the prosecution case. (See <https://www.dppireland.ie/app/uploads/2022/12/ENG-Role-of-the-DPP-August-2022.pdf> accessed 22 March 2023).

273 Tusla is one of a number of agencies that attends these inter-departmental meetings which the Department of Justice is currently leading on the anti-human trafficking strategy.

nity. Such referrals may relate to a concern by a member of the community about a child, but when unpacked by the duty social worker, may lead to unearthing the presence of sexual exploitation. Hence, awareness raising, training about the risks and indicators of sexual exploitation of children, and the reporting and recording of suspicious and concerning activity are believed by both agencies to be steps towards the better protection of children and young people from sexual exploitation in the future.

4.10 Conclusions

The above analysis reports on the context in which key stakeholders saw the sexual exploitation of children and young people occurring and highlights in particular how children and young people in the care of the State, or who go missing while in State care, were being targeted by predatory males in an organised manner for sexual exploitation. Participants spoke of hotels being used as locations for the sexual exploitation of children and young people, with hoteliers feeling ill-equipped to deal with and report what they are encountering. The above analysis also shows that some interviewees in this study struggled with the definition of the sexual exploitation of children, highlighting its ambiguity and the blurred line between sexual exploitation and sexual abuse. Yet the transactional nature of the exchange was better understood and an acceptance that the exchange was not limited to monetary or tangible forms. While for some participants, sexual exploitation was not something they encountered with the children and young people they care for, other interviewees only recognised the sexual exploitation of children when they started to consider it for this research or from speaking to other colleagues. Yet for a third cohort of interviewees, the sexual exploitation of children and young people was very much something they had encountered and were concerned about in their work.

It can be seen in the findings presented that speaking about the sexual exploitation of children caused difficulty and discomfort even among the professionals themselves, whereby silence, whispers or euphemisms about its existence emerge. For many professionals, terminology such as sexual assault, forced to participate in sexual acts and rape of children and young people were not used. Instead they spoke of *'all sorts of other stuff going on'* (I/V5) or that children and young people *'have to do things'* (I/V17). Participants also reported that children and young people were slow to disclose their experiences of sexual exploitation, sometimes as a defence mechanism but also because of their fear of the perpetrators. Interviewees recognised that disclosure would only ensue once the child or young person had developed a strong relationship of trust with the professional.

The participants emphasised the importance of professionals seeing the child or young person as a victim to whom harm is being done, even if the child or young person does not see themselves as a victim of sexual exploitation, believing instead that they have agency. Such recognition by professionals is necessary in order that children and young people receive the help and support they need. The specific forms of sexual exploitation of children – online and through prostitution and trafficking – encountered by participants are portrayed while also highlighting the forms that seldom present, if at all. Participants also identified how substance misuse is intertwined with the sexual exploitation of children and young people.

The GNPSB and Tusla were not surprised by the evidence presented of the sexual exploitation of children and young people across Ireland. While recognising the broader constraints within which they had to operate, as well as the complexity underpinning sexual exploitation, they reported on a number of efforts in recent times that they had undertaken to improve their ability to recognise, record and report on the sexual exploitation of children. They also acknowledge that they have more work to do and spoke of the plans they have underway in the hope of better protecting children and young people from sexual exploitation in the future.

“I’m not seeing any evidence of strategic understanding of child sexual exploitation among the guards. You might get pockets of it where there are secure residential units, where over years they’ve built that practice... So you’ll get good relationships built over time between individual guards in those units... You still have a little bit of work to do.” (I/V15)

5. Study Conclusions and Recommendations

5.1 Introduction

In recognition of the profoundly damaging impact of sexual exploitation on the child and young person, the UN Convention on the Rights of the Child (1989)²⁷⁴ recognises the right of the child to protection from all forms of sexual exploitation. Many countries including Ireland ratified this and other relevant legal instruments including the Lanzarote Convention, in their fight against the sexual exploitation of children. However, while significant progress has been made in recent years towards embedding the child's right to protection from sexual exploitation more deeply into Ireland's agenda, one significant legal instrument which covers some of the worst offences that can be committed against children – the UN General Assembly Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography²⁷⁵ – has not yet been ratified in Ireland. Ratification of this legal instrument is even more critical now in the light of the evidence presented in this study not only to demonstrate that Ireland, like all other EU member states, is 'meeting the highest standards in the protection of children and young people', but also 'to send a clear message nationally and internationally that these offences will not be tolerated here'.²⁷⁶

Drawing on interviews with 21 key stakeholders across 14 organisations with diverse experience of working with, and representing, children and young people in Ireland, we sought to obtain a sense of stakeholders' level of awareness of the sexual exploitation of children in its different forms, their perceptions of the extent and contexts in which the sexual exploitation of children occurs, as well as their opinions about whether it is currently being experienced by the cohort of children and young people with whom they interact. We also held consultations with senior representatives from Tusla and the GNPSB to better understand the efforts that they are making to address the sexual exploitation of children. As we have stressed throughout this report, this study is not a prevalence study. Instead it is very much an initial but important first step in exploring the issue of the sexual exploitation of children in Ireland. We also acknowledge that certain important voices are missing, in particular those from organisations working with migrant children and children with disabilities. Notwithstanding these limitations, it is hoped that the insights gleaned in this study can be used to highlight the fact that the sexual exploitation of children and young people is indeed a phenomenon that is occurring in Ireland, in most cases in an organised fashion by coordinated networks, or gangs, of predatory males, and that urgent action is required to protect children and young people who are currently, or are at significant risk of, experiencing sexual exploitation. This response includes the need for larger, more broad-based research studies to further elucidate the prevalence and nature of the sexual exploitation of children and young people in Ireland as well as the continued actions by those with the authority and responsibility to protect children and young people from sexual exploitation.

5.2 Study conclusions

Based on this study's findings, there is a grave concern about the safety of children and young people being cared for by the State. The study reports that children and young people, and in particular girls, in residential care or who go missing while in State care, are being targeted for sexual

274 UNCR (1989) *op cit*.

275 UN General Assembly (2000) *op cit*.

276 Children Rights Alliance (2019) *op cit*. See also calls for its ratification made by IHREC (2020) *op cit*; and Ombudsman for Children (2019) *op cit*.

exploitation in an organised manner by a coordinated networks, or gangs, of predatory men. These findings provide further support for recent press reports of an alleged child exploitation ‘ring’ that targets teenage girls in State care, which is currently being investigated by An Garda Síochána.²⁷⁷ As this study describes, these predatory men target children and young people in residential care, encourage them to abscond and taxi them to hotels around the country where they are then sexually exploited. The risk of sexual exploitation for these children and young people is further compounded when people in authority are not recognising or understanding the risks and signs of sexual exploitation and are therefore failing to respond appropriately to keep children and young people safe and protect them from sexual exploitation.

Discomfort, or lacking the necessary language needed to speak about the sexual exploitation of children and young people means that professionals caring for them are failing to record and respond to reports of sexual exploitation. These failures are especially worrying in the light of UK evidence of prolific sexual exploitation of children in, for example, Rochdale and Rotherham, where agencies charged with protecting and safeguarding children did not see, or intervene in systems of, sexual exploitation of children there.²⁷⁸ It is hard not to be concerned and draw parallels with what occurred in Rochdale and Rotherham especially when we hear of: children and young people in Ireland who are at risk of/experiencing sexual exploitation being seen as ‘problematic’ children that some Gardaí appear to be tired of dealing with; children from disadvantaged backgrounds with multiple vulnerabilities and at risk of sexual exploitation; professionals who do not, or are unable to, see sexual exploitation; professionals who are uncomfortable, or do not have the language, to speak about sexual exploitation and sometimes even inadvertently blame the victim for their own exploitation. Hence, while Tusla and An Garda Síochána recognise that a problem exists in that they developed a joint working protocol in 2017 and in 2021 a Child Sexual Exploitation (CSE) procedure which give special consideration for dealing with the organised element of sexual exploitation of children,²⁷⁹ given the evidence reported in this study, one has to question how well the protocol and CSE procedure are bedded down within these organisations and what more needs to be done to protect children from sexual exploitation.

A further concern highlighted in this study is the length of time that it takes for children and young people in State care to disclose their experiences of sexual exploitation to professional care providers. Participants in the study recognised that disclosure will only ensue once the child or young person has developed a strong relationship of trust with the professional. They are therefore very concerned that an environment where residential care centres are unable to secure and maintain continuity of social workers and social care staff is not conducive to the development of trusting relationships. Senior officials in Tusla also shared this concern. In such an environment, children and young people will continue to be slow in coming forward to disclose their experiences of sexual exploitation and to seek help and support in overcoming these experiences.

Another issue that dominated the findings in this study is the sexual exploitation of children and young people through prostitution. Although it is not always named as such, it is very much reflected in the many cases reported of sexual exploitation of children in State care. Participants spoke of young girls in State care being coerced or enticed to provide sex acts to multiple men in exchange for a variety of goods. The context of the sexual exploitation and how it connects with larger systems and economies/ markets of abuse prevailed, with illustrations of poverty and addiction intersecting sexual exploitation through prostitution. Hence, it is important that the State recognises

277 Power (2022) *op cit.*

278 See Airey (2012) *op cit.*, Brown (2022) *op cit.*, Jay (2014) *op cit.*; Jay et al. (2022) *op cit.*

279 Tusla (2017) *op cit.*

the need to address this intersection in its efforts to combat this form of sexual exploitation. Tusla has begun to recognise this intersection by calling for a multi-agency, cross-community response to the complexity of the risks of sexual exploitation that exist for children in their care. It is also critical that professionals working with children and young people have the language to speak about this form of sexual exploitation and understand its complexity, including how it intersects with poverty and addiction. The findings also highlight ambiguity or a lack of understanding in relation to what constituted sexual exploitation and trafficking. It is hoped that the rolling out of additional training and education on the sexual exploitation and trafficking of children for staff in Tusla, residential care centres and An Garda Síochána will help improve their understanding of the complexities underpinning sexual exploitation through prostitution and trafficking. Armed with this understanding professionals can be better positioned to take appropriate measures to protect children and young people from these these human rights abuses.

The study also illustrates the explosion of online sexual exploitation of children and young people in recent years. This form of sexual exploitation is believed to be associated with the increased use of smart phones and social media platforms by children and young people and the length of time they spend in a vastly changing online world that many parents and caregivers are unable to understand and monitor, but which predators of sexual exploitation are using to their advantage. While many of the reported incidents of online sexual exploitation started as sharing self-generated sexual abuse imagery for a small ‘reward’, in nearly all cases the exploitation escalated to extortion, intimidation or more widespread sharing of images across several platforms without the child’s or young person’s knowledge. The study concludes that tackling online sexual exploitation cannot be done by parents, caregivers and the authorities on their own but requires placing some responsibility on social media companies to make their sites secure and prevent predators from hiding behind a veil of privacy.

5.3 Recommendations

Based on this study’s findings, the following recommendations are made to help safeguard and protect children and young people in Ireland from sexual exploitation.

5.3.1 National policy on protecting children from sexual exploitation

The findings reported in this study suggest the need for a national policy on the protection of children from sexual exploitation. Responsibility for this policy should rest with the Department of Children, Equality, Disability, Integration and Youth and be informed by relevant research that highlights children’s vulnerability to, and risk of, sexual exploitation as well as the experiences of State and non-governmental organisations working to protect children from sexual exploitation. Including sexual exploitation in the Children First Guidelines, as recommended recently by IHREC, would not only help prioritise this issue but would also trigger further improvements in the training of individuals responsible for caring for and protecting children from sexual exploitation.²⁸⁰

5.3.2 Audit of residential care centres by HIQA

Revelations in this study that children and young people in State care in Ireland are being targeted in an organised manner for sexual exploitation and are taxi’d to hotels around the country are very worrying and require immediate investigation and follow-up action by the Health Information

280 IHREC (2022b) *op cit.*, p.25.

Quality Authority (HIQA).²⁸¹ While such findings are not unexpected given that previous studies have shown that children in residential care have a number of vulnerabilities that increase their risk of sexual exploitation, it is recommended that HIQA undertake an immediate audit of all residential care centres and assess the risk of sexual exploitation therein. It is also recommended that they consider drawing on the specialist knowledge that exists in the UK following the inquiries into the sexual exploitation of children in Rochdale and Rotherham to help inform the development of procedures and safeguards in residential care units here in Ireland that can better protect children and young people in their care from sexual exploitation.

5.3.3 Support and training of professional care staff in residential care centres

Significant discomfort was reported around speaking about sexual exploitation by some professionals caring for children and young people. Not being able ‘to use the correct language risks minimising or even erasing the experience of the child’.²⁸² This risk is accentuated in the area of sexual exploitation given the difficulty that children and young people have around disclosing their experiences of sexual exploitation in the first instance to professional care staff. Furthermore, if care staff do not have the necessary language and understanding of the complexity underpinning the sexual exploitation of children, they may inadvertently blame the young victims for their own experiences of sexual exploitation. Therefore, it is recommended that all professional care staff are provided with training and support to speak and listen to children and young people who disclose experiences of sexual exploitation to them. It is also recommended that Tusla extend their training of the CSE procedure to care staff in all residential care centres so that they are trained in recognising the signs and risks of sexual exploitation, the reporting pathways available to them, and that all residential care units have clear policies and procedures for staff to follow in order to safeguard and protect the children and young people in their care.

5.3.4 Training and resources for An Garda Síochána

The study reported a perceived lack of understanding by some members of An Garda Síochána of the risks and vulnerabilities of children and young people in State care to sexual exploitation. Instead, there were reports of children and young people being seen by some Gardaí as ‘problematic’, or even at times being blamed for their own exploitation while predatory men continued in an organised manner to target them for sexual exploitation. While a joint working protocol between Tusla and An Garda Síochána was developed in 2017 and a CSE procedure in 2021 to deal with organised sexual exploitation, they do not appear to be bedded down sufficiently, particularly given the evidence reported here of how some Gardaí are responding to reports of the occurrence of sexual exploitation. It is therefore recommended that in order to disrupt the sexual exploitation of children and young people in residential care centres that the specialised Garda units, the Divisional Protective Services Units (DPSU), are adequately resourced and that their members, as well as frontline Gardaí, are trained to understand the complexity and risks of sexual exploitation, including that children may be slow to report or may never even disclose it. In addition, training of all frontline Gardaí to probe further into what happens when children go missing from care is required. These resourcing and training efforts will enable An Garda Síochána to be better placed to deal with reports of sexual exploitation of children and young people in State care and prosecute those responsible for perpetrating it.

281 At present HIQA is responsible for the inspection of Tusla residential centres only. The Registration and Inspection Unit in Tusla is responsible for the inspection of all other residential centres – private and community run residential centres (see appendix 2 for more details on residential care centres in Ireland).

282 RCNI (2022) *op cit.*, p.7.

5.3.5 Education and responsibility for digital safety

Given the increase in online sexual exploitation, the need for education in digital safety for both children and their care givers as a way of protecting children from this form of sexual exploitation has been clearly identified in this study. As children's access to internet-enabled mobile devices is a relatively new phenomenon, it is possible that parents are not fully aware of the dangers inherent in its unsupervised use.²⁸³ Hence they may need to be educated and prompted to put safeguarding practices in place to protect their children from risky online activity, as leaving children unsupervised in this context escalates their vulnerability to online sexual exploitation. It is also recommended that greater responsibility is placed on social media companies to make their sites and platforms safer and more secure for children and young people to use.

5.3.6 Future research

In order to help inform and improve the procedures and safeguards in Ireland to better protect children and young people from sexual exploitation, we need to first extend this scoping study and investigate the prevalence of the sexual exploitation of children and young people here. This would involve the collection of prevalence data using a combination of a survey of young people in Ireland that asks them a series of questions relating to sexual exploitation²⁸⁴ and the completion of sexual exploitation risk assessments by social workers in Ireland based on their existing caseloads of children and young people in their care.²⁸⁵

A larger research study is also required to explore in more depth retrospectively what interventions could be made to help prevent, or respond more effectively to, the sexual exploitation of children. This would entail a retrospective case analysis research approach, using a template for case analysis, as well as in-depth interviews with professionals working with children and young people in social care, health, policing, education and youth work practitioners. It would ask them to reflect on and unpack the learnings from different cases they have encountered of the sexual exploitation of children. In addition, the research would also involve speaking with women who are survivors of prostitution, and who may have been sexually exploited as children, to determine whether there were any interventions that may have helped prevent their sexual exploitation. All of this research would then be used to inform the development of guidelines, policies and procedures that help practitioners be alert to, detect/ identify and then respond appropriately to disclosures of sexual exploitation of children and young people and lead in turn to the development of better safety practices for children in future.

Certain forms of sexual exploitation, that of child or forced marriage and in travel and tourism, were not reported to any great extent by participants in this study. However, the absence or limited evidence of these forms of sexual exploitation may be explained in part by the fact that representatives from organisations working with migrant children are unfortunately missing from this scoping study. Therefore, more research by way of in-depth interviews with migrant organisations is required so that their voices and experiences are included and allow us to better understand the extent to which different vulnerabilities and marginalisation may increase migrant children's and young people's risk to different forms of sexual exploitation in Ireland. In addition, extending the research to include representatives from hotels and the tourism industry is also warranted given

283 Rudolph *et al.* (2022) *op cit.*

284 The proposed survey would draw on questions on sexual exploitation used to poll young people over 14 years in Northern Ireland and the UK (Available at: <https://www.ark.ac.uk/ylt/results/yltsexualrisks.html> (accessed 15 November 2022)).

285 The proposed risk assessment tool would be adapted from an existing sexual exploitation risk assessment framework, developed by Barnardo's and modified by Beckett (2011) in her Northern Ireland study (see Beckett, 2011, *op cit.*, p.16).

the reports that children were being collected at, or taken to hotels, for the purpose of sexual exploitation.²⁸⁶

Given the increase in reports of online sexual exploitation of children and young people in this scoping study, further research is warranted that involves more in-depth discussions with digital safety experts in policing, technology and education.

It is hoped that the above efforts will significantly strengthen the evidence base on the sexual exploitation of children and young people in Ireland with a view to enhancing policy and practice measures to protect those at risk and prevent future generations from experiencing the terrible harms of sexual exploitation.

286 Irish Human Rights and Equality Commission (IHREC) (2022a) *op cit.*, p. 23.

“Some [girls] are 12 and 13, but mostly over 14 [years of age]. So... they don’t necessarily understand the dynamics that are at play or the power imbalance that’s there and... they go to meet their boyfriend in a hotel room and there’s like five other guys there and ... they have to do things with those other people because this is what their boyfriend is telling them that they have to do... So having an indicator checklist would be really helpful for people on the frontline... and training around healthy relationships.” (I/V17)

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Appendix 1 – Interview Guide

- Sense of the prevalence of the different forms of sexual exploitation of children. The five forms identified in the literature review include:
 - The sexual exploitation of children through prostitution
 - Online sexual exploitation of children
 - The sexual exploitation of children in travel and tourism
 - The sexual exploitation of children through child/ forced marriages
 - Trafficking of children for sexual exploitation.

- Opinion on the degree to which sexual exploitation is affecting children in Ireland

- Any encounters of sexual exploitation of children in your work and the context in which encountered

- Exploration of the risk factors that you consider make children more vulnerable to sexual exploitation

Appendix 2 – Brief Overview of Residential Care Centres in Ireland

Tusla – The Child and Family Agency has statutory responsibility to protect children in Ireland which may entail caring for them outside the home in residential care centres.

At 31 December 2021, there were 177 Residential Care centres across Ireland²⁸⁷ caring for 506 children²⁸⁸. These comprised Tusla owned centres (37 mainstream residential care centres and 3 special care units), Community & Voluntary centres (25), and Private centres (112).²⁸⁹ Except for three special care units, the residential centres are open centres and are a mix of domestic style homes in housing estates, in villages, in towns, in cities, and in rural areas across Ireland. The Centres typically have between 2 to 6 children/ young people being cared for and where possible they attend local schools and are supported to take part in local sporting and community activities.²⁹⁰ The three special care units are secure (locked) residential centres for children and young people aged 11 to 17 years whose behaviour poses a real and substantial risk of harm to their life, health, safety, development or welfare such that a court has determined to place them in these secure units for their own protection.²⁹¹

Tusla owned centres are monitored and inspected by an independent authority, the Health Information Quality Authority (HIQA)²⁹² while community & voluntary centres and private centres are monitored and inspected by Tusla.²⁹³

287 Tusla (2022b) *op cit.*, p.18.

288 *ibid.*, p.4

289 *ibid.*, p.18.

290 *ibid.* p.18

291 See Health Information and Quality Authority (HIQA) (2022) *Overview Report: Monitoring and Regulation of Children's Service in 2021*. June. Available at: <https://www.hiqa.ie/reports-and-publications/key-reports-investigations/overview-report-inspection-and-regulation-0> (accessed 31 January 2023); Tusla (2022b) *op cit.*, p.48.

292 HIQA (2022) *op cit.*

293 See <https://www.tusla.ie/services/alternative-care/registration-and-inspection-service/inspection-reports/> (accessed 31 January 2023).

