**Questionnaire**

**Draft Guidelines on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC).**

**Ireland’s Response**

**March 2019**

The adoption of the Guidelines is welcome considering their potential to guide the implementation of the Protocol. As for details, it is positive that according to the Guidelines ensuring the implementation of the Optional Protocol can be done through a specific plan or alternatively through a broader National Plan of Action (NPA) for the implementation of the rights of the child. Equally, it recognises that co-ordinating measures to give effect to the Optional Protocol can form part of a mandate of a body or Ministry for the co-ordination of the implementation of children’s rights (as an alternative to a specific structure dedicated to child sexual exploitation). It can be added that an inter-governmental structure may also effectively serve this purpose. Furthermore, we would suggest that a co-ordinating mechanism such as that referenced in the document need not be limited to implementing the OPSC specifically but that it should have the mandate to co-ordinate activities inclusive of those concerning the Protocol as well as others.

Similarly, to the above point, there is a need to recognise the importance of awareness-raising programmes and campaigns and dissemination of information on offences contained in the Protocol. Such awareness raising and dissemination may be equally if not more effective when conducted in the context of broader initiatives concerning sexual health, crime prevention, online safety and child protection.

The need for data collection undoubtedly exists. Clearly, State parties need to develop adequate and sound data sharing mechanisms (with due regards to safeguards) to ensure the sharing of information and cross-referencing of data.

The Guidelines only briefly touch upon the role of social services. It can be argued that social services have an important role in preventing and detecting child protection and welfare concerns and supporting children. They often work closely with community organisations that also have an important role since, apart from universal services such as education, they often have direct contact with child victims. The Guidelines therefore could give greater prominence to the role of social services and the partnership between them and police services as well as community organisations.

Updating the language from child pornography to child sexual abuse material is a positive step. It helps to capture more appropriately what may take place in the context of child pornography.

The Guidelines refer to the occurrence of distributing sexualised material by children of other children. It can be added that children may display sexually harmful behaviour in other forms, too. Perhaps the Guidelines could provide some further reference as to the manner in which such children can be assisted. This is a complex area but progressive responses have been developed to work with those children. It also needs to be recognised that for intervention to be successful, the involvement of parents is often necessary and while it may be challenging, is ultimately beneficial in most cases.