



**An Roinn Coimirce Sóisialaí
Department of Social Protection**

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Order of the High Court

Foy - v - the Registrar General, Ireland & the Attorney General

The Minister for Social Protection, Eamon Ó Cuív, TD has announced (30 June 2010) that the Order of the High Court in Foy-v-the Registrar General, Ireland & the Attorney General has been laid today before both Houses of the Oireachtas.

The Order of the High Court was made under Section 5 of the European Convention on Human Rights Act 2003, to the effect that the current regime for the registrations of births, contained in the Civil Registration Act 2004, was incompatible with Dr Foy's rights under Article 8 of the European Convention on Human Rights. Article 8 of the convention refers to the right to respect for a person's privacy.

The Order of the Court was required to be laid before both Houses of the Oireachtas within 21 sitting days of the withdrawal of the appeal to the Supreme Court on 16 June 2010.

The Minister would like to emphasise that the existence of the Order does not affect the continuing operation of the Civil Registration Act 2004.

The Minister has already established an interdepartmental committee – the Gender Recognition Advisory Group – to advise him on the legislation required to comply with the ruling. The group has as its terms of reference to propose heads of a bill to provide for the legal recognition of the acquired gender of transgendered people, the issuing of births certificates reflecting the new gender, granting entitlement to marry in the new gender, and any other provisions consequential on the main provisions. The group is made up of representatives of relevant Government Departments and is expected to report to the Minister in about six months. The group will engage in a public consultation exercise and may consult with experts in the field, as appropriate.

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