
18th July 2018

Minister for Employment Affairs and Social Protection Regina Doherty, T.D., today announced the publication of the report of the group established to review the operation of the Gender Recognition Act 2015.

On launching the report Minister Doherty said: “I am delighted to publish the Report of the Review Group of the Gender Recognition Act today. I want to thank the Chair of the Review Group – Ms Moninne Griffith and the members of the Group for their work and commitment in delivering this important report. It includes significant recommendations, particularly with regard to gender recognition for children.

Our work towards enhancing current Gender Recognition legislation reaffirms our commitment as an international leader on Transgender Rights.”

The Minister commented that she was particularly pleased to be able to appoint representatives from TENI (Transgender Equality Network of Ireland) and IndividualTy to the Group. “It was very important that the group was truly representative and also that it had an external chair” the Minister said.

The Minister said that she was considering the implications of these recommendations and how they might best be put into practice. “I will be consulting with the Attorney General and other Cabinet colleagues in order to tease out any legal and operational issues in advancing the recommendations” she said.

Ms Moninne Griffith, Chair of the Review Group and Executive Director, BeLonG To Youth Services said, “The implementation of the report’s recommendations would change the lives of trans, non-binary and intersex young people across Ireland. It would send a strong message that they are visible, valued and included in Irish society. Trans young people and their families tell us how vital it is to their everyday lives to have access to legal documents that reflects their true gender such as passports, birth certificates and other official records. Basing legislation on self-determination reflects that this is a legal process and therefore there is no requirement for medical experts, medical treatments or diagnosis of a mental disorder for individuals to be legally recognised.”
Young trans people do not just wake up one morning and decide that they want to change their legal gender. This happens after a period of social transition, living in their preferred gender. What is clear from the young trans and non-binary people that we work with is, however, that having access to legal gender recognition will have a hugely positive impact on their lives, self-esteem, self-worth, and well-being.”

The report is available on the Department’s website here:  

Recommendations

The Chair submitted the Group’s report to the Minister for Employment Affairs and Social Protection on 15 June 2018. The key recommendations of the report are that, in principle;

a. a system of gender recognition be introduced for children subject to the following key principles:
   • parental consent required
   • the process to be administrative,
   • third party support for the child and family involved
   • a straightforward revocation process to be included

b. a system of gender recognition to be introduced for people who are non-binary (non-binary is an umbrella term for gender identities that fall outside the gender binary of male or female. This includes individuals whose gender identity is neither exclusively male nor female, a combination of male and female or between or beyond genders)

The report sets out ten core recommendations. The other recommendations relate to Birth Certificate Reference Numbers; costs and privacy associated with updating official documents, the provision of information, and a further review of the Act. All of the recommendations are listed at Appendix 1.

Consultation Process

A public consultation process was launched on 8 January 2018. A total of 92 written submissions were received - from private individuals, members of the Oireachtas, individual professionals, advocacy groups, and other organisations. The majority of submissions were broadly supportive of a simplified and more flexible arrangement for children aged 16/17 years; and were also supportive of extending provision for gender recognition to children under 16 years and persons who are non-binary. The Review Group also held consultation meetings with members of the transgender community, including young people; parents of transgender children; medical practitioners; and legal experts.

Background
Section 7 of the Gender Recognition Act 2015 provides for the Minister to carry out a review of the Act.

On 3 November 2017 the Minister for Employment Affairs and Social Protection announced the establishment of a group to conduct the review and that the group would be chaired by Moninne Griffith (Executive Director, BeLonG To). The group also included representation from the Transgender Equality Network Ireland (TENI), other independent experts in the field and Government bodies with an interest in this area. The full composition of the group is available at Appendix 2.

A copy of the terms of reference is at Appendix 3.

ENDS

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