

**SUBMISSION: PUBLIC CONSULTATION ON THE DEVELOPMENT
OF THE DEPARTMENT OF SOCIAL PROTECTION'S STATEMENT
OF STRATEGY 2025–2028**



Belong To LGBTQ+
Youth Ireland

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Summary of Recommendations

The Department of Social Protection (DSP)'s next Statement of Strategy must include a focus on progressing legal protections for LGBTQ+ communities, as referenced in the Programme for Government 2025, *Securing Ireland's Future* (PfG). This focus should specifically relate to **enacting recommendations from the 2017/18 review (under section 7) of the Gender Recognition Act 2015** (the Act).

Within the above focus, the Department should address outstanding measures proposed by the Minister for Employment Affairs and Social Protection in 2019, along with the wider set of outstanding recommendations of the Review Group for the Act.

These actions are:

- Simplify the path to legal gender recognition for young people aged 16 and 17;
- Publish existing research relating to gender recognition processes for under-16s;
- Make legal gender recognition available to nonbinary people, who are currently denied this right;
- Provide access for intersex people to all measures taken to improve access to gender recognition;
- Promote the use and acceptance of pronouns within the DSP and wider civil/public service;
- Improve the design of forms and documentation within the DSP to permit the use of a third gender option, or no gender at all;
- Introduce a certificate numbering system for the DSP;
- Examine how administrative processes can be streamlined while maintaining a person's privacy once they have obtained a Gender Recognition Certificate;
- Commit to reviewing, within five years, the Act and any impact assessment in relation to the introduction of legislation to provide legal gender recognition for non-binary people;
- Publish an easy-to-read booklet setting out the steps involved in obtaining a Gender Recognition Certificate and an entry in the register of gender recognition;
- Prepare a booklet for Government Departments, other State bodies, and private sector organisations, setting out how the Act applies to them; and
- Promote the use and acceptance of correct pronouns.

About Belong To

Belong To — LGBTQ+ Youth Ireland is a national organisation supporting lesbian, gay, bisexual, transgender, and queer (LGBTQ+) young people. Since 2003, Belong To has worked with LGBTQ+ youth to create a world where they are equal, safe and thriving in the diversity of their identities and experiences. The organisation advocates and campaigns with and on behalf of LGBTQ+ young people; offers specialised LGBTQ+ youth services in Dublin, including crisis counselling with Pieta; and supports a network of LGBTQ+ youth groups across Ireland. Belong To also supports educators and other professionals working with LGBTQ+ youth through training, capacity building, and policy development.

Context: LGBTQ+ Inclusion, the Programme for Government 2025, and the Department of Social Protection Statement of Strategy 2023–25

The PfG presents an opportunity to further enshrine the rights and equality of LGBTQ+ people in Ireland, and the Department of Social Protection has a key role to play in **retaining the topic of gender recognition as a priority** in its next Statement of Strategy.

Under the heading of Equality and Inclusion, the PfG sets out a vision of Ireland as an “inclusive and accepting country”,¹ and LGBTQ+ rights are integral to that vision. “We are”, the PfG states, “committed to improving the lives and protecting the rights of the LGBTQI+ community in Ireland and globally”.² One commitment is of particular relevance to gender recognition, and that is to:

- *Actively advocate for the rights of LGBTQI+ individuals both in Ireland and internationally.*³

To assist in securing this commitment, a collective of 18 LGBTQ+ organisations, of which Belong To was one, collaborated on the #VoteWithPride campaign. Our collective’s manifesto outlined the key areas of action for the people we support, and contained five headings under which key asks were presented. The first one of these was to “Strengthen LGBTQ+ Rights”, and included the specific ask to enable trans young people and nonbinary people to simply access legal gender recognition.

The current Statement of Strategy for the DSP references several vital pieces of work in this area, namely:

Remove the need for a person aged 16 and 17 years to have two specialist reports before they can apply for legal gender recognition, by providing for self-declaration, with parental consent and by making mediation available on a voluntary basis. These

¹ [Programme for Government 2025 - Securing Ireland's Future](#), p97

² p98

³ p98

*improvements will include the provision of a gender-recognition certificate providing proof of change of name, as well as gender. Commence research to examine arrangements for children under 16. Complete the work of the interdepartmental group tasked with examining legal recognition of non-binary people.*⁴ (p19)

In order to maintain progress on the important work already undertaken by the department, **gender recognition must remain an issue of focus for the next Statement of Strategy.**

Gender Recognition Act (2015) and Review (2017–19)

Ireland has been a global leader on trans rights since the enactment of progressive gender recognition legislation in 2015. The Gender Recognition Act 2015 (the Act) was designed to enable a person aged 16+ to have their preferred gender recognised in law. Since its commencement, 1,544 people have received a Gender Recognition Certificate and been able to legally recognise their gender identity.⁵

Section 7 of the Act provided that the Minister would commence a review of the Act within two years of its operationalisation. In 2017, a Review Group was formed, chaired by Belong To CEO, Moninne Griffith. Following a thorough examination of the Act and its operation, including consideration of 92 submissions to an open consultation process, the Review Group published [a report](#) containing a series of recommendations in July 2018. These were as follows.

2018 Review Group Recommendations	
1	A system of gender recognition should be introduced for children of any age, subject to the following key principles: <ul style="list-style-type: none">• Parental consent required (with an appropriate legal process to address cases where there is not consent from both parents or it is not possible or safe to obtain same).• Process would be administrative.• Straightforward revocation process.• Third party support for the child and family involved.
2	A) Legal gender recognition should be made available to people who are nonbinary. B) As part of cross-Government departmental review of proposed legislative amendments, an impact assessment may be considered.

⁴ [Statement of Strategy 2023 to 2026](#), p19.

⁵ [Annual Report for 2023 under section 6 of the Gender Recognition Act 2015](#), p4.

	C) In the immediate term, Government Departments and other public bodies should take any positive steps they can take to improve the position of people who are non-binary.
3	All measures taken to improve access to gender recognition, both with regard to age and gender identity (either binary or non-binary), should also provide access for intersex individuals.
4	That the Department of Employment Affairs and Social Protection, with the General Register Office, introduce a numbering system which looks identical to that used for birth certificates where the information is taken from the birth registers. This should apply to new certificates and the option of a replacement certificate should be made available to people who already have a certificate with no reference number (and the fee for issuing a replacement waived).
5	Section 10 of the Act should be used (either as currently enacted or by way of legislative amendment) to enable a legal change of name as part of the gender recognition process.
6	A) That arrangements be put in place to allow Irish citizens born in Northern Ireland and living outside the State, to apply for a gender recognition certificate. B) That the issue of revised birth certificates be raised at official level with UK authorities.
7	That departments and agencies examine ways of streamlining application processes; improving interconnection between Departments; and reducing costs for replacement of official documents such as birth certificates and passport.
8	That each relevant Department/Government body examine how administrative processes, once a Gender Recognition Certificate is obtained, can be streamlined while maintaining a person's privacy.
9	That a review of the Act and any impact assessment in relation to the introduction of legislation to provide legal gender recognition for non-binary people should be completed within five years of commencement of the provisions of any enacted amending legislation arising from this review. That review would cover any new provisions contained in any amending legislation.

10	<p>A) That the Department of Employment Affairs and Social Protection publish an easy to read booklet setting out the steps involved in obtaining a Gender Recognition Certificate and an entry in the register of gender recognition. This should also include advice regarding next steps to be taken, listing other Government departments and State bodies that may need to be contacted to update personal records.</p> <p>B) The group also recommends that a booklet be prepared for Government Departments, other State bodies, and private sector organisations, setting out how the Act applies to them.</p>
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In November 2019, the Minister for Employment Affairs and Social Protection published [a report](#) entitled “Gender Recognition Act 2015: Report to the Oireachtas under Section 7 of the Act” (Minister’s Report), setting out a series of proposals to address a number of these recommendations through legislation and other measures. These were as follows.

Proposed Legislation and Actions from Minister’s Report 2019
Simplifying the path to legal gender recognition for children aged 16/17 years by introducing an arrangement for self-declaration, with parental consent; a simple revocation process; and by making family mediation support available on a voluntary basis.
There are no plans to change the arrangements for children aged under 16 years; however, the Minister for Employment Affairs and Social Protection will, in conjunction with the Minister for Children and Youth Affairs, commission research to examine issues of concern relating to under-16-year-olds.
In order to bring greater clarity to the fact that legal gender recognition is separate and distinct from any question of medical intervention, it is proposed to identify clearly on a gender recognition certificate for 16- and 17-year-olds that it is awarded on the basis of self-declaration only.
To provide that a gender recognition certificate may be used to provide proof of change of name as well as proof of change of gender.
To provide that Irish citizens born outside the State and living outside the State (including Northern Ireland) would be allowed to apply for a gender recognition certificate.
Promoting the use and acceptance of correct pronouns.

Improving the design of official forms and documentation to permit the use of a third gender option, or no gender at all, where it is possible to do so.

Several of these recommendations have been addressed subsequent to one or both reports. Most notably, [regulations were published](#) to allow many Irish citizens born and living outside the State to apply for a gender recognition certificate, and the process has been updated to include provisions allowing people to legally change their names if they wish to do so.

Belong To and TENI (Transgender Equality Network Ireland) [expressed disappointment](#), following the Minister's Report, that Government did not take the opportunity to implement all of the Review Group's recommendations, particularly in relation to under-16s and legal recognition of nonbinary people. However, it was also recognised that the proposed legislation and actions would have a positive impact on those affected, and the changes that have been enacted have been welcome.

As we approach the end of the DSP's current Statement of Strategy, however, many of the actions from both lists of priorities — the Review Group's and the Minister's — remain outstanding.

Recommendations for the Department of Social Protection Statement of Strategy 2025–28

It is vital that the next Statement of Strategy **retains gender recognition as a named priority** and empowers the DSP to progress and complete vital work on this topic.

Recommendations
<p>Simplify the path to legal gender recognition for young people aged 16 and 17.*</p> <p><i>Since 2015, only 24 applications for a Gender Recognition Certificate have been made by 16- and 17-year-olds (21 granted).³ This suggests that the process is not fit for purpose and is delaying young people's access to legal gender recognition.</i></p>
<p>Publish existing research relating to gender recognition processes for under-16s.*</p> <p><i>The research referenced in the Minister's Report was due for completion in 2024, but has yet to be released. As it was commissioned jointly by the DSP and the</i></p>

Department of Children, Equality, Disability, Integration, and Youth, a release must be collaboratively arranged with utmost haste.

The delay in publication of this research is delaying indefinitely any progress on this issue. Trans young people and their families tell us how important it is to have access to legal documents that reflect their gender identity, including passports, birth certificates, and other official records.

Promote the use and acceptance of correct pronouns within the DSP and wider civil/public service.*

Make legal gender recognition available to nonbinary people.

The rights of nonbinary people have been excluded from proposed legislative amendments without clear rationale and should be addressed as a priority.

We recognise that an impact assessment is required as part of a medium-term process. However, as this is progressed, in the short-term all feasible steps should be taken to improve the position and recognition of nonbinary people.

Improve the design of forms and documentation within the DSP to permit the use of a third gender option, or no gender at all.*

Provide access for intersex people to all measures taken to improve access to gender recognition.

Introduce a certificate numbering system for the DSP, with the General Register Office, which looks identical to that used for birth certificates where the information is taken from the birth registers.

This should apply to new certificates and the option of a replacement certificate should be made available to people who already have a certificate with no reference number (and the fee for issuing a replacement waived).

Examine how administrative processes can be streamlined while maintaining a person's privacy once they have obtained a Gender Recognition Certificate.

This should aim to improve interconnection between Departments and reduce the cost of replacing official documents (e.g. passports, birth certificates).

Commit to reviewing, within five years, the Act and any impact assessment in relation to the introduction of legislation to provide legal gender recognition for non-binary people.

Publish an easy-to-read booklet setting out the steps involved in obtaining a Gender Recognition Certificate and an entry in the register of gender recognition.
Prepare a booklet for Government Departments, other State bodies, and private sector organisations, setting out how the Act applies to them.

**Included in Minister's Report (2019)*

Contact

Dr Emily Bourke, Policy & Participation Coordinator
emily@belongto.org