

**Breaking News – 21 June 2010**

## **Govt to introduce new transgender legislation:**

Legislation recognising transgender people in their new identity is set to be introduced after the Government scrapped a Supreme Court appeal.

The State was due to challenge a ruling that current Irish law on transgender rights was in breach of the European Convention on Human Rights (ECHR).

But after dropping its appeal against the High Court decision, the Government will now have to bring in fresh legislation – or face condemnation from Strasbourg.

The move follows a 13-year battle for legal recognition as a woman by Dr Lydia Foy, who was registered at birth as a male.

The former dentist from Athy in Co Kildare was represented throughout her campaign by the Free Legal Advice Centre (FLAC).

Michael Farrell, the organisation's senior solicitor paid tribute to Dr Foy's courage during her lengthy legal challenge.

"This has been a long and painful road for her to travel, but her action will help many others who have to make this difficult journey too," he said.

"This is a major development for transgender people who have suffered from isolation, exclusion and prejudice for far too long."

Mr Farrell called on the Government to act quickly to introduce legislation recognising the new identity of transgender people and allowing them to obtain new birth certificates.

"Every day that transgender people continue to be denied legal recognition is now a breach of the ECHR," he added.

A spokeswoman for the Department of Social Protection said a gender recognition group was currently advising Minister Eamon O'Cuiv on the legislation required and what it should include.

"The group was established as part of the commitment in the new programme for government to legislate to recognise the acquired gender of transgender persons," she added.

Dr Foy began her court proceedings in 1997.

After a series of failed attempts the High Court finally ruled that the lack of provision for recognising Dr Foy's new gender identity was a breach of her rights under Article 8 of the ECHR.

Following the State's decision to drop its appeal, the Taoiseach must now report the

court's decision to the Dáil within 21 sitting days.

Labour party spokesman on human rights Joe Costello said more action was needed quickly from the Government and from Minister O'Cuiv.

"It is vital that he makes progress on this and that he acts expeditiously in introducing the necessary legislative changes," Mr Costello added.

"For 13 years Dr Foy has in pursued her case with great courage, determination and dignity and any further delay would be completely unacceptable."