



ombudsman
do leanaí
for children

GRA2015 Review (Submission)
GRO Policy Unit,
Department of Employment Affairs and Social Protection,
Floor 1
Áras Mhic Dhiarmada,
Store Street,
Dublin 1
D01 WY03

5 February 2018

**RE: Submission by the Ombudsman for Children's Office
to the Review of the Gender Recognition Act 2015**

Dear Ms Griffith,

I am writing to you in your capacity as Chair of the Review Group of the Gender Recognition Act 2015 (2015 Act) to enclose my Office's submission to the current review of the 2015 Act.

As Ombudsman for Children, and in light of my statutory mandate to promote the rights and welfare of children up to the age of 18 years, I welcome the current review of the 2015 Act as an important opportunity to strengthen the protection and fulfilment of the rights of children and young people under the age of 18 in respect of gender recognition.

I appreciate the invitation that my Office received from the Department of Employment Affairs and Social Protection on 15 January 2018 to make a submission to the review. My Office has prepared this submission pursuant to Section 7(4) of the Ombudsman for Children Act 2002 (as amended), which provides that the Ombudsman for Children can advise on any matter, including legislation, relating to the rights and welfare of children.

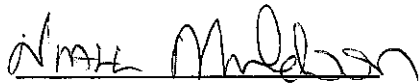
The overall aim of my Office's submission is to highlight a number of ways in which the current legislation could be strengthened to more fully respect, protect and fulfil the rights of children and young people in relation to gender recognition. In this regard, the focus of my Office's current submission is on arrangements for children aged 16 and 17 years and arrangements for children under 16 years.

In addition to my Office's current submission, I am also enclosing the advice that the Ombudsman for Children's Office provided in 2013 on the General Scheme of the Gender Recognition Bill 2013. Among other things, this earlier advice references in some detail relevant provisions of the UN Convention on the Rights of the Child (UNCRC) and the European Convention on Human Rights (ECHR) as well as international legal developments on gender recognition for young people. My Office's current submission intentionally does not repeat this information in detail and therefore I would encourage you and your colleagues to consider the OCO's earlier advice in this regard.

I hope that our submission is of assistance to the review and I wish you and your colleagues well in undertaking this important work.

Please feel free to contact me if my Office can be of further assistance to the review.

Yours sincerely,



Dr Niall Muldoon

Ombudsman for Children