



An Bille um Inscne a Aithint (Leasú) (Príosúin), 2025
Gender Recognition (Amendment) (Prisons) Bill 2025

Meabhrán Miniúcháin
Explanatory Memorandum



**AN BILLE UM INSCNE A AITHINT (LEASÚ) (PRÍOSÚIN),
2025
GENDER RECOGNITION (AMENDMENT) (PRISONS) BILL
2025**

EXPLANATORY MEMORANDUM

Purpose of the Bill

The purpose of this Bill is to make provision for single-sex accommodation in prisons by providing that a gender recognition certificate does not affect whether a person is deemed male or female for the purpose of applying the existing rule as to single-sex accommodation in prisons.

Provisions of the Bill

Section 1 defines key terms used throughout the Bill.

Section 2 introduces a new section into the Gender Recognition Act 2015 ensuring that the issuing of a gender recognition certificate to a person shall not affect whether the person is deemed male or female for the purposes of Rule 52(1) of the Prison Rules 2007 (S.I. No. 252 of 2007). Rule 52(1) generally requires that male and female prisoners be accommodated in separate areas and largely prohibits prisoners of one gender being permitted access to areas to which prisoners of the other gender have access at the same time. Furthermore, this section also clarifies that this Bill's provisions apply whether the relevant certificate was issued before or after the passing of the Bill and whether the person's period of imprisonment commenced before or after such passing.

Section 3 provides for the Bill's short title and commencement details.

*Peadar Tóibín, TD, Paul Lawless, TD,
Nollaig, 2025.*