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Identity and Passport Service
Parliamentary & Correspondence
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Zoe O'Connell

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Reference: FOICR 23439/12

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9 August 2012

Dear Zoe O'Connell

FREEDOM OF INFORMATION REQUEST

Thank you for your e-mail of 15 July, in which you ask for information on a Home Office consultation about the use of the X gender marker on passports. Your request has been handled as a request for information under the Freedom of Information Act (FOIA) 2000.

You asked:-

In September last year, it was reported that the Home Office would be consulting on use of the "X" gender marker on passports. (The Telegraph, 19th September 2011 –

<http://www.telegraph.co.uk/news/uknews/8772963/Sex-free-passports-for-transgenders.html>

Please could you provide minutes or similar indicating the latest progress on this initiative and confirm if it is still an active consultation.

The Identity and Passport Service (IPS) response is:-

I can confirm that IPS holds the information that you requested. However, after careful consideration we have decided that the information is exempt from disclosure under section 35 of the FOIA. This provides that information can be withheld where disclosure would prejudice the formulation of government policy.

We understand that there is a need for openness and transparency in government working. We are also keen to provide the public with an opportunity for the public to

contribute to, and understand the issues of the day, and thereby participate in the debate which helps shape future policy.

The “Advancing transgender equality: a plan for action” published by the Home Office in December 2011 indicated that a review would be undertaken on how gender identification is represented in passport application forms and passports.

The review is currently being undertaken by IPS. The work is policy-in-development and subject to development in decision making. Those involved should be granted clear thinking space to allow for a fair and frank exchange of views. Therefore, I am unable to share papers with you. The outcome of the review is subject to consideration by senior managers and any decision to progress the work further would be a matter for Ministers. The outcome of the Ministerial consideration will be included as part of the Government’s response in reporting progress on the transgender equality plan.

We have considered your request and have decided that the information cannot be disclosed to you in accordance with section 35 of the Freedom of Information Act which relates to the formulation of government policy.

We conclude that the balance of the public interest lies in withholding the information.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 23439/12. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF

E-mail: FOIRequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

H Reid
Parliamentary & Correspondence Management Team