

Rt Hon Liz Kendall MP
Rt Hon Ian Murray MP
Kanishka Narayan MP
Cc Lord Vallance of Balham
Cc Sarah Owen MP
Cc Rt Hon Lord Alton of Liverpool
Cc Dame Chi Onwurah MP

By email

4 October 2025

Congratulations on your appointments as Ministers with responsibility for Science, Innovation and Technology. We look forward to supporting the Department's goal of a modern and inclusive digital transformation in the UK.

We corresponded with your predecessors regarding concerns among the LGBTQ+ communities arising from ongoing work to determine the government's approach to recording data on sexuality, sex and gender. We have an interest in the efforts to develop standards within DSIT's Data Standards Authority, informed by data harmonisation work ongoing in the Office for National Statistics, and the impact of these projects on long term data practices in the UK following the passage of the Data (Use and Access) Bill and recent announcements regarding plans for digital identification systems and the Digital ID Bill required to enable this.

Specifically, efforts to enforce a regressive definition of sex which limits it to birth certificate sex and seeks to disregard changes made by the UK's gender recognition process are an open attack on trans people's abilities to live our lives. They would roll back the rights trans people have had for decades to update records and identity documents such as passports and driving licences to reflect their reality, even without a Gender Recognition Certificate.

We were glad to receive clear assurances from then Secretary of State Peter Kyle MP in an email during the debates on the the Data (Use and Access) Bill, regarding ultimately unsuccessful amendments which aimed to, in his words, "*force public authorities to collect data on members of the public on the basis of sex at birth rather than through up-to-date documentation.*" He noted he "*would baulk if this forcibly outs every trans person on public records*", that he was "*worried that it could mean vital documents of trans people, including medical records, [would be] purged*", and committed "*to airing [our] views and ensuring that the trans community feels included, safe and influencing debate.*"

We hope we can rely on the new ministerial team to honour this, in line with the department's broader commitments to inclusive working under the Blueprint for Modern Digital Government¹ and the Civil Society Covenant². We trust you can appreciate the particular importance of engagement with affected communities when determining how the foundational attributes of people within a unified digital system are recorded.

Privacy in a context of rising hate

Currently, LGBTQ+ people are deeply concerned about how their attributes will be recorded and the impact this will have on our lives.

One might hope that in 2025, openness about LGBTQ+ identity would not present a risk. Yet these hopes for a better future have been upended by the rising tide of hate crime, violence and discriminatory policy against LGBTQ+ people. In the context of growing hard-right parties and politicians, both in the UK and internationally, the recording of data that would allow authorities to forcibly out LGBTQ+ people in their everyday interactions is a source of deep anxiety for our communities.

As a result of this climate of fear, many trans and LGBTQ+ people understandably feel compelled to remove public, documentary evidence regarding their identity.

This Government must not allow their legacy to be one of opening the door to the violation of the privacy and safety of trans people in the future through the non-consensual recording of inaccurate data about LGBTQ+ people.

Data Utility

We are particularly concerned by any effort to mandate the recording of the assigned sex at birth of all trans people.

This is a significant departure from evidence-based data collection best practices and carves out sex from all other sensitive data categories which rely on self-reporting and focus on utility. Accurate data is data that reflects someone's real experience in the world, rather than an irrelevant and ideological categorisation that has no relevance to a person's life today. Data professionals have raised concerns about the impact of such a change on the functionality and historical comparability of data.³

¹<https://www.gov.uk/government/publications/a-blueprint-for-modern-digital-government/a-blueprint-for-modern-digital-government.html#what-this-will-feel-like-for-civil-society-and-local-communities>

² <https://www.gov.uk/guidance/civil-society-covenant-programme>

³ See for example: <https://kevinguyan.com/2025/04/16/the-politics-of-categories/> and <https://www.thegist.ie/the-gist-trans-rights-are-data-rights/>

Misalignment with UK and international best practice

We have also noted in previous correspondence that the proposed use of digital reform to enforce ideological misunderstanding of LGBTQ+ people creates legal incompatibility with existing equalities and human rights law, privacy protections within the Gender Recognition Act 2004 and the *Goodwin vs UK 2002* ruling before that. It would also create a completely impractical situation for trans people from overseas whose documents do not list the sex recorded on their birth certificate, or a person's lived sex, as well as intersex people whose legal sex is "indeterminate".

Further, recording 'sex at birth' would very likely violate the core UK data protection principles of data minimisation, purpose limitation and accuracy. It would also jeopardise our ability to trade with key partners in the EU, whose data protection practices have the same requirements to maintain our current alignment status of 'adequacy' as a trading partner.

Recent rulings have reinforced that gender recognition and a right to update sex and gender data for accuracy are non-negotiable elements of this data protection regime.⁴ While the UK is not a member of the EU or subject to the decisions of the CJEU, this trading relationship and its data protection alignment underpin the functioning of the Good Friday Agreement and the Windsor Framework. Given these risks there is no reason for deviation from the current approach to sex and gender data towards one which goes against the core principles of human dignity and bodily autonomy.

It is in that context that we write to request a **meeting with a representative of the ministerial team** to discuss these concerns, and for there to be a **process of engagement by the Data Standards Authority with organisations representing the affected groups**.

We hope you will quickly provide reassurances to the LGBTQ+ communities in these matters, and to that end this letter and your response may be made public, and copies have been sent to the chairs of the relevant parliamentary committees.

Yours sincerely,
Keyne Walker, Strategy Director, TransActual
Helen Belcher OBE, Managing Director, TransActual

Founded in 2017, TransActual is a national organisation led by and for trans people to represent our interests in matters of policy, law and healthcare. For more information on us and our work, see <https://transactual.org.uk/advocacy/>

⁴ See for example the cases of C-43/24 Shipov and VP v Országos Idegenrendészeti Főigazgatóság: <https://www.ilga-europe.org/news/joint-statement-landmark-cjeu-opinion-demands-legal-gender-recognition-across-eu/>