

*These notes refer to the Gender Recognition Act 2004
(c.7) which received Royal Assent on 1 July 2004*

GENDER RECOGNITION ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 20: Gender-specific offences

84. Many definitions of sexual offences in the law of Scotland and Northern Ireland remain gender-specific and hence refer, for example, specifically to acts committed by a man upon a woman. This section ensures that where criminal liability would exist, but for the fact that a person, either the victim or the perpetrator, has become of the acquired gender, that criminal liability will exist regardless of the gender change. The Sexual Offences Act 2003 introduced gender-neutral terms for England and Wales, but this section extends to England and Wales, as well as Scotland and Northern Ireland, in order to ensure that there is no residual problem.