

Transcending Identity: Policy Solutions to Legal Gender Affirmation Barriers in British Columbia

by
Katrina Kelly

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Name: **Katrina Kelly**

Degree: **Master of Public Policy**

Title: **Transcending Identity: Policy Solutions to Legal Gender Affirmation Barriers in British Columbia**

Committee: **Michelle Amri**
Supervisor
Term Assistant Professor, Public Policy

Genevieve LeBaron
Committee Member
Professor, Public Policy

Ethics Statement

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Abstract

This study exposes barriers faced by transgender, non-binary, and gender-diverse individuals navigating the legal gender affirmation process administered by the Vital Statistics Agency in British Columbia (BC). It highlights the complexities arising from administrative procedures, multiple documentation requirements, and high costs which hinder the acquisition of crucial gender-concordant identity documents. These barriers lead to adverse outcomes in social, health, and economic aspects of life, aligning with the gender minority stress theory. This research uncovers and addresses these barriers by employing qualitative, in-depth, semi-structured interviews and proposing viable policy solutions to fill existing gaps and improve the well-being of transgender, non-binary, and gender-diverse communities in BC. Drawing on data collection and analysis, three practical policy recommendations are presented to alleviate barriers in the legal gender affirmation process within BC. These recommendations contribute to advancing understanding and facilitating actionable steps toward a more inclusive and equitable legal gender affirmation process in BC.

Keywords: gender-concordant identification; gender-diverse; legal gender affirmation; non-binary; social policy; transgender

“History isn’t something you look back at and say it was inevitable. It happens because people make decisions that are sometimes very impulsive and of the moment, but those moments are cumulative realities.” – Marsha P. Johnson

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List of Acronyms

2SLGBTQIA+	Two-spirit, Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex, Asexual. The “+” is inclusive of people who identify as part of sexual and gender-diverse communities who use additional terminologies (Government of Canada, 2023).
BC	British Columbia
ID	Identification Document
RCMP	Royal Canadian Mounted Police
USA	United States of America

Glossary

Cisgender	The term cisgender, from the Latin cis-, meaning “on the same side as”, can be used to describe individuals who possess, from birth and into adulthood, the male or female reproductive organs (sex) typical of the social category of man or woman (gender) to which that individual was assigned at birth (Aultman, 2014, pg. 61).
Foundation ID	Foundational evidence of identity: a piece of identification issued by a Canadian authoritative source that establishes core identity information, such as given names, surname, date of birth, sex, and place of birth (Government of Canada, 2019, pg. 1).
Gender	Refers to the socially constructed roles, behaviours, expressions and identities of girls, women, boys, men, and gender-diverse people. It influences how people perceive themselves and each other, how they act and interact, and the distribution of power and resources in society. Gender identity is not confined to a binary (girl/woman, boy/man) nor is it static; it exists along a continuum and can change over time. There is considerable diversity in how individuals and groups understand, experience and express gender through the roles they take on, the expectations placed on them, relations with others and the complex ways that gender is institutionalized in society (Canadian Institutes of Health Research, 2023, pg.1).
Gender-diverse	Refers to individuals who do not identify as exclusively male or exclusively female. For example, individuals who are non-binary or two-spirit (Department of Justice Canada, 2023, pg. 1).
Gender expression	Refers to how people publicly present their gender through aspects such as clothing, hairstyles, make-up, body language, and voice (Department of Justice Canada, 2023, pg. 1).
Legal gender affirmation	Refers to amending names and gender markers on crucial identity documents such as social security cards, birth certificates, and driver's licenses (King & Garmel, 2021).
Non-binary	Person whose gender identity does not align with a binary understanding of gender, such as man or woman. A non-binary person may identify as neither a man nor a woman, both, or anywhere along the gender spectrum (Department of Justice Canada, 2023, pg. 1).

Queer	Historically a derogatory term used as a slur against 2SLGBTQIA+ people, this term has been reclaimed by many 2SLGBTQIA+ people as a positive way to describe themselves and to include the many diverse identities not covered by common 2SLGBTQIA+ acronym. It denotes or relates to a sexual or gender identity that does not correspond to established ideas of sexuality and gender, especially heterosexual norms (Government of Canada, 2022).
Sex	A person's biological status as male, female, or intersex based on their primary sexual characteristics at birth (Department of Justice Canada, 2023, pg. 1).
Transgender (trans):	A person whose gender identity differs from that typically associated with the sex they were assigned at birth (Department of Justice Canada, 2023, pg. 1).
Two-spirit persons	An umbrella term for some Indigenous people who identify as having both a female and male spirit within them or whose gender identity, gender expression, sexual orientation, or spiritual identity is not limited by the binary classification of gender as woman or man (Department of Justice Canada, 2023, pg. 1).

Positionality Statement

As a cisgender person, I understand the importance of acknowledging how my positionality and power impact this research and its participants. I embrace the fact that my role in allyship is continuously evolving and has areas for growth. I acknowledge that my own identities, experiences, and viewpoints shape both the research process and the interpretation of data. I remain open to these dynamics, striving to cultivate a research environment that is both enriching and inclusive. Understanding the intersectionality of gender, sexuality, nationality, race, social class, and age is essential in comprehending potential power dynamics in my interviews and other aspects of identity. I actively engaged in reflexivity exercises throughout the research process to critically evaluate my positionality in relation to participants, ensuring that my perspectives did not inadvertently sway research outcomes. This involved careful examination of interview transcripts to analyze the nuanced language employed by participants. I remained mindful of the nuances of gender dynamics, acknowledging the unique position granted by my cisgender identity during interviews. I aimed to ensure the well-being of participants by approaching interactions with sensitivity and awareness. The involvement of members from local 2SLGBTQIA+ organizations, QMUNITY and PACE, played a crucial role in ensuring the integrity and inclusivity of this project. This research centers the experiences of interview participants to ensure the outcomes accurately reflect the diverse perspectives and realities within the 2SLGBTQ+ community, fostering a more inclusive and comprehensive understanding of legal gender affirmation. Through ongoing dialogue and collaboration, I aimed to create a research space that acknowledges and actively addresses the systemic inequities these equity-deserving communities face. By disseminating my findings to participants and the school community, I aim to contribute meaningfully to advocacy efforts and policy reform that promote inclusivity and equity in the legal gender affirmation landscape.

Ethics Considerations

Drawing from peer-reviewed materials that explored navigating qualitative research, this study adhered to the principles outlined in the Tri-Council Policy Statement (Canadian Institutes of Health Research et al., 2022). Informed consent was obtained from all participants, emphasizing voluntary participation, confidentiality, and optional withdrawal at any point. I maintained participant anonymity throughout the analysis and reporting of data collection to protect participants' identities. Additional precautions were taken to safeguard trans, non-binary, and gender-diverse individuals who were interviewed. These measures included offering flexibility with interview questions, seeking feedback after interviews, and consulting with members of the transgender, non-binary, and gender-diverse communities about my approach. I was cognizant of my responsibility to the research participants and remained self-critical, reflexive, and accountable throughout the research process. I remained accountable to my participants by seeking feedback throughout the research process to ensure that their perspectives and needs were adequately addressed and incorporated into the study. I did this by providing participants with an opportunity after interviews to share any additional insights or expand on topics that may not have been addressed during the interview.

Executive Summary

This research addresses significant legal gender affirmation barriers encountered by transgender, non-binary, and gender-diverse populations within British Columbia (BC). Despite Vital Statistics' pivotal role in gathering critical health data, legal recognition processes, and providing historical records, marginalized individuals often face systemic hurdles that impede their access and experience. By illuminating these barriers and advocating for improved processes that better reflect the spectrum of gender identities, this study contributes novel insights to the existing literature. It not only enriches our understanding of the complexities surrounding legal gender affirmation but also offers practical solutions for fostering equity and inclusivity within Vital Statistics' systems. By centering diverse perspectives, this research emphasizes the urgent need to mitigate barriers and promote meaningful policy reform to ensure that all individuals have equal access to legal recognition of their gender identity.

The legal gender affirmation process in BC poses significant barriers for transgender, non-binary, and gender-diverse individuals. Complex administrative requirements and financial burdens hinder access to essential identity documents, contributing to adverse social, health, and economic outcomes for gender-diverse individuals, as explained by the Gender Minority Stress Theory (Hendricks & Testa, 2012). This study aimed to understand these diverse populations' experiences and challenges within the legal gender affirmation process in BC. This research study asks the question, "What barriers exist for transgender, non-binary, or gender-diverse applicants seeking legal gender affirmation on their foundational identity documents through the Vital Statistics Agency in BC?". To answer this question, eight semi-structured qualitative interviews were conducted with transgender, non-binary, and gender-diverse participants in BC. Following this, data collected in interviews was analyzed and coded using NVivo software. Interviews revealed five key barriers related to the legal gender affirmation process in BC. First, it was discovered that participants felt administrative complexities were a major barrier, including confusing forms, language barriers, and requirements for healthcare professional support. Second, participants raised concerns about mandatory fingerprinting and criminal record checks, which perpetuate stereotypes and create discomfort among individuals seeking legal gender affirmation. Participants called for alternatives to police involvement and

highlighted the double standards in name-change procedures. Third, financial barriers, including fees for fingerprinting and documentation, were significant barriers for participants, particularly for low-income individuals facing workplace discrimination. The financial burden was exacerbated by stringent documentation requirements, hindering access to legal affirmation. Fourth, the importance of familial support in the legal gender affirmation process was emphasized, yet strained relationships and lack of access to parental information posed barriers for applicants. Fifth, participants noted the length of bureaucratic procedure and varying processing times as a significant barrier to obtaining key gender-concordant identity documents.

In response to these barriers indicated by participants in this study, three policy recommendations are proposed based on the data collected from interviews and participant suggestions. Those three options are: i) *Legislatively amend the Name Act to exempt transgender, non-binary, and gender-diverse people from fingerprinting and criminal record checks*, ii) *Create an online application process and portal featuring application status and requirements checklist*, and iii) *Create a transgender, non-binary, and gender-diverse-specific application with detailed guidance that allows users to make name and gender marker changes within the same application*. These recommendations would streamline the process, cater to applicants' specific needs, and improve administrative efficiency. Overall, these solutions aim to address the diverse barriers identified by interview participants and aim to foster inclusivity, efficiency, and respect for individuals' gender identities and dignity in BC.

This study's limitations stem from its potential inability to encompass all obstacles within BC's legal gender affirmation process, as well as the limited timeframe, which restricts the number of interviews conducted. Despite this, this study highlights the pressing need for policy interventions to address barriers in the legal gender affirmation process in BC, emphasizing the significance of implementing all five policy recommendations to improve the process. Policy Option 1, focusing on amending the Name Act to create exemptions for fingerprinting and criminal record checks, is prioritized due to its potential substantial impact. Advocating for a transformative shift, the research urges policymakers to create a more inclusive environment supporting the rights of gender-diverse individuals. This aligns with the BC Government's commitment to diversity, inclusion, and equitable policymaking, and ultimately, recognizing legal gender affirmation as a fundamental human right.

Chapter 1.

Introduction

Across Canada, transgender, non-binary, and gender-diverse rights are being scrutinized and questioned. There is a powerful effort to restrict access to essential, life-saving resources for non-cisgender individuals, especially healthcare (Currah, 2022). Aligning sex designation with outward gender expression on identification documents serves as a means to navigate the world freely (Currah, 2022). The classification of sex and gender shapes an individual's access to various resources and institutions (Ozbilgin et al., 2023). Debates continue regarding government recognition of gender changes, where differing viewpoints define 'sex' as either permanently attached to the body at birth, based on genitals, related to gender identity, or merely a proxy for gender, which itself is influenced by power dynamics (Currah, 2022). By fixating on the definition of 'sex,' society's comprehension of gender nuances is narrowed when viewed through a biological binary (Currah, 2022).

Legal changes to foundational identity documents are crucial for self-actualization and social transition, positively impacting mental health and economic prospects (Scheim, Perez-Brumer, & Bauer, 2020). Birth documents and other foundational identity documents are used for various important functions such as employment, school, travel, housing, acquiring driver's licenses, and health care cards. This is why "the gender listed on a person's birth certificate is thus essential in many 'routine' administrative activities and can expose a person to discrimination or even violence if the listed gender seemingly 'conflicts' with the person's physical appearance" (Rappole, 2015, pg. 192). However, the bureaucratic process in BC is complex and leads to confusion, which is compounded by a lack of trans-affirming public service. Trans-affirming public service refers to adequate training of public service and healthcare professionals to increase their awareness and understanding of trans issues and needs (Burgwal et al., 2021). Gender-concordant ID documents are vital for societal participation and are a necessary governmental service.

It is important to note that the terms 'transgender' and 'non-binary' are commonly used to describe individuals whose gender identity differs from the one assigned to them at birth (Department of Justice Canada, 2023). Additionally, the term 'gender diverse' encompasses a broader spectrum of identities, including non-binary and many other identities such as gender-nonconforming, agender, two-spirit, and more (Department of Justice Canada, 2023). Understanding these distinctions is crucial as it reflects the diversity of the studied population.

Policymakers and governments often rely on the definition of sex to justify their anti-transgender stance (Currah, 2022). This is bolstered by the historical backdrop of identity policy in New York City, tracing back to 1965, when a committee of medical experts from the New York Academy of Medicine declined to allow official alterations to gender markers on foundational identity documents, citing concerns regarding "the public interest in protection against fraud" (Currah, 2022, pg. 33). In other words, changing documents to align with gender identity has been historically considered fraudulent and illegitimate. This argument against transgender, non-binary, and gender-diverse individuals obtaining gender-concordant identification is often used to insinuate that such actions are inherently suspicious and associated with criminal intent (Loza, et al., 2021). This rhetoric continues today in various expressions and undermines the immense barriers non-cisgender people face when deciding whether to affirm their identities and live authentically.

Transgender, non-binary, and gender-diverse individuals endure discrimination based on their identities, frequently grappling with daily anxiety and fear about how their authentic selves will be perceived in society (Goetz & Arcomano, 2023). These challenges are exacerbated when considering the other intersections of identity, particularly for racialized transgender individuals who face disproportionate disadvantages resulting from the interplay of race, gender identity, and systemic inequities (Hill et al., 2018). The decision of whether to change one's name and gender marker on their ID can be difficult due to significant barriers in the process (Goetz & Arcomano, 2023). Procedures to acquire such ID depend on factors such as the individual's province/territory of residence, place of birth, and access to financial resources and personal support. It is crucial to note potential risks for transgender individuals engaging in this process, as some regions mandate publicly announced name changes, leading to potential outings and vulnerability to discrimination (Restar et

al., 2020). Before 2003, the Name Act in BC (R.S.B.C. 1996, c. 328) mandated the publication of name changes in the BC Gazette. However, this requirement was eliminated by the Deregulation Statutes Amendment Act, 2002, SBC 2002, c.12, s.27, effective December 19, 2002 (BC Regulation 381/02) (Courthouse Libraries, 2022).

1.1. Legal Gender Affirmation in BC

The current legal gender affirmation process in British Columbia presents significant barriers for transgender, non-binary, and gender-diverse individuals. It involves complex processes, documents, and fees, leading to confusion, stress, unforeseen expenses, and delays in obtaining crucial identity documents like birth certificates. These administrative hurdles are linked to adverse social, health, and economic outcomes for gender-diverse individuals (Scheim, Perez-Brumer, & Bauer, 2020). This phenomenon can be understood through the Gender Minority Stress Theory, which serves as a conceptual framework to understand how various forms of anti-trans stigma contribute to adverse health outcomes among marginalized gender communities (Hendricks & Testa, 2012). This study aims to answer the research question, “What barriers exist for transgender, non-binary, or gender-diverse applicants seeking legal gender affirmation on their foundational identity documents through the Vital Statistics Agency in BC?”. It then provides policy solutions to address those barriers.

Statistics Canada reports that 0.44% of British Columbians, around 22,312 people, identify as transgender or non-binary, surpassing the national average of 0.33% (Statistics Canada, 2022). With this considered, BC has a unique opportunity to lead the revolution in legal gender affirmation. In BC, changing the gender marker on your birth documents is only possible for BC-born individuals with a valid BC birth record, which limits access for those born elsewhere who may have difficulty accessing services in another jurisdiction. In contrast, name change eligibility extends to BC-born individuals, Canadian citizens, and permanent residents. The procedures for gender marker and name change in BC are separate and require distinct applications. In summary, to legally change your name in BC, you must be 19 years or older and a BC resident for at least three months, possess a valid foundational ID, complete a legal Change of Name application (VSA 529), gather required documentation (such as a marriage certificate or birth certificate), obtain fingerprinting and a criminal record check, and pay the \$137 fee. For a gender marker change, you must be born in BC, be 19 years or older, pay a \$27

amendment fee, complete the application form (VSA 509A), collect supporting documentation, and submit the application with the paid fee to Vital Statistics or Service BC. The detailed eligibility criteria and procedures for name change and gender marker change in each province and territory can be found in Appendix A.

British Columbia does not require proof of medical transition to obtain an updated ID, yet other bureaucratic barriers persist for individuals undergoing this process. BC's legal gender affirmation process requires current, valid foundational ID and supporting documentation, which can pose barriers for individuals who lack access to such documents, potentially excluding marginalized populations or those with limited resources. This process has many associated costs, including separate processing fees for both name and gender marker changes, fees for new birth certificates, and varying fees at all other agencies and institutions with which a person holds identity cards. These fees can be prohibitive for some individuals, particularly those facing financial hardship or precarious economic situations. The fingerprinting and criminal record check requirements add further complexity. They may deter individuals from pursuing these changes, especially if they have concerns about privacy or past interactions with the criminal justice system.

1.2. Comparing BC to Other Jurisdictions

As discussed earlier, the processes for legal name and gender changes on foundational ID documents differ across provinces, territories, and states in both Canada and the United States (USA). In Canada and the USA, you are legally allowed to select a gender marker on your passport that you identify with without supporting documentation (U.S. Department of State, 2024) (Government of Canada, 2024). As of June 4th, 2019, you can also select gender "X" in Canada, and as of April 11th, 2022, you can select gender "X" in the US. However, in both Canada and the USA, the procedures for legal name and gender change on foundational ID documents differ across provinces, territories, and states. An issue with this is that other forms of documentation, such as birth certificates, driver's licenses, and other critical ID documents, may not be able to be altered to reflect one's true gender. In many states, there is still a requirement to demonstrate proof of gender-affirming surgery to change the gender marker on your birth documents (Movement Advancement Project, 2024). In five states, people are still

unable to alter their original gender marker assigned at birth at all (Movement Advancement Project, 2024).

Across Canada, the processes for legal gender affirmation (name change and gender change) vary significantly among provinces and territories, as shown in Appendix A. Conversely, the requirements in Yukon, Nunavut, and Northwest Territories are generally less stringent, with lower fees and more straightforward application procedures. However, in Nunavut, the process must go through the court system, adding another layer of complexity. The processes for a change of gender marker also exhibit considerable variation across Canada. In Alberta, Ontario, and Quebec, individuals must provide extensive documentation, including statements from healthcare professionals affirming their identity, and adhere to specific eligibility criteria. In contrast, provinces like Manitoba and Nova Scotia have simpler processes with no processing fees for gender change and less stringent documentation requirements. However, in some cases, such as Quebec, applicants must comply with mandatory public notification requirements in an official government newspaper, adding a significant barrier to the process. For further details on all provinces and territories eligibility and procedures, see Appendix A.

1.3. Approach

To answer the question, “What barriers exist for transgender, non-binary, or gender-diverse applicants seeking legal gender affirmation on their foundational identity documents through the Vital Statistics Agency in BC?” I conducted eight semi-structured qualitative interviews. These interviews engaged residents of BC who identify as trans, non-binary, or gender-diverse, and who have either considered or finalized the process of name and gender change with Vital Statistics BC. Additionally, some participants are professionals whose employment involves assisting individuals through this process. These interviews revealed five distinct barriers that can help understand why this process needs to be addressed and reformed to serve the populations it affects most. Through this understanding of barriers, three policy recommendations are suggested to mitigate barriers in this process and cultivate a system that is more inclusive and accessible.

Chapter 2. Theory and Methods

2.1. Theory

This study employed the Gender Minority Stress Theory, adapted from the Minority Stress Model, which has been widely utilized to elucidate the associations between various forms of anti-trans stigma and adverse health outcomes among communities that are marginalized due to their gender identity or expression (Hendricks & Testa, 2012). I chose this framework for its emphasis on the pervasive impact of societal discrimination, inequitable laws and policies, and the systemic lack of access to quality healthcare, all stemming from anti-trans stigma on the health and well-being of transgender individuals (King & Garmel, 2021). Without accurate identification documents (ID), individuals often avoid accessing healthcare, applying for jobs, and seeking housing due to fear of discrimination (King & Gamarel, 2021). This theory helps us understand how trans, non-binary, and gender-diverse people are significantly more vulnerable to human rights violations when their name and gender identifier on their official ID do not match their perceived gender expression (United Nations, 2024). This theory illuminates how gender identity exacerbates homelessness and unemployment rates for transgender, non-binary, and gender-diverse individuals, who are already disproportionately represented in homeless and unemployed populations compared to cisgender British Columbians (Loza, et al., 2021). Gender-affirming identification is vital for economic stability, mental well-being, and social inclusion (Loza, et al., 2021). At its core, this theory highlights how societal discrimination, inequitable laws and policies, and systemic barriers to quality healthcare are rooted in anti-trans stigma, ultimately impacting the health and well-being of marginalized gender communities (Hendricks & Testa, 2012). By exposing the associations between various forms of anti-trans stigma and adverse health outcomes, this framework demonstrates the urgent need to address the systemic injustices faced by these communities (Hunter, Butler & Cooper, 2021). This theoretical lens guided the formation of the research question, interview questions, and interpretation of results by contextualizing the experiences of marginalized gender groups within broader society, political systems, and class dynamics. For example, the interviews began by asking participants about their experiences with social acceptance of their gender identity in BC, which may have impacted their access to employment opportunities, healthcare services, or housing. This targeted approach allowed for a

deeper understanding of the unique stressors faced by marginalized gender groups within the broader BC context of systemic discrimination and inequality.

2.2. Methods

2.2.1. Study Design

I designed this study to expose barriers experienced by people with marginalized gender identities. Employing a qualitative approach, I conducted semi-structured interviews with trans, non-binary, and gender-diverse individuals who were either considering, undergoing, or had completed the legal gender affirmation process with BC Vital Statistics, as well as people who assist individuals through this process. This study was approved by Simon Fraser University's Research Ethics Board (REB) under protocol number 30002121, guaranteeing compliance with ethical standards and guidelines. Through this method, I gained a comprehensive understanding of participants' firsthand experiences and perspectives of this process within the context of BC. This method enabled participants to share their experiences and perspectives in their own words, prioritizing lived experiences over numerical data. Semi-structured interviews provided the flexibility to explore predetermined questions and unforeseen topics or themes that emerged organically during discussions. This adaptability proved invaluable in delving deeper into participants' responses and uncovering the intricate factors influencing their experiences with the legal gender affirmation process. Additionally, the qualitative interview approach fostered a collaborative and respectful dynamic between the participants and I, creating a secure environment for individuals to openly and honestly share their experiences. This inclusive approach was particularly crucial when investigating sensitive topics such as legal gender affirmation, ensuring participants felt acknowledged and respected throughout the research process.

2.2.2. Literature Search and Deductive Codes

I conducted a literature review from August 2023 to January 2024, encompassing qualitative and quantitative academic studies and grey literature sources primarily from SFU's library site and Google Scholar. The search terms utilized most frequently were "transgender ID BC," "transgender ID change," "transgender, non-binary ID," and "gender marker change on ID." I used this literature review to identify barriers to legal

gender affirmation present in comparable studies globally and in other parts of Canada to ground the analysis. This literature review was also used to explore policy solutions in different jurisdictions to contextualize this research and situate it within the existing landscape. The barriers identified in this process became my *a priori* codes, which are all outlined in *Table 1*. These codes were established before the interviews. They influenced how I conducted interviews and probed participants by providing a structured framework for exploring key themes and ensuring comprehensive coverage of relevant topics during the interview process.

Table 1. List of codes used in NVivo

Top Level Codes <i>* a priori codes</i>	Subcodes
Administrative Complexity*	Access a lawyer, notary, or doctor
	Specific document requirement
	Surrendering document requirement
	Language barrier
	Staffing issues
	Forms are confusing*
	Neurodivergent
Perceived Criminalization*	Fingerprinting*
	Violation of human rights
	Police/RCMP involvement
Financial cost*	Hidden fees
	Income precarity

Lack of familial/community support*	Absence of emotional support*
	Knowledge of parental information
Processing Times	Housing or employment limitations
	Immigration issues

2.2.3. Sampling Strategy

I utilized quota sampling, a non-probability method, to achieve specific characteristics in participant selection. I sought trans, non-binary, or gender-diverse participants who either completed or considered their name and gender change on their foundation identity documents in BC or worked in a capacity that assisted people in this process. I contacted local queer support organizations QMUNITY and PACE Society, as well as queer organizations within BC universities, via email to capture different demographics in my sample. To broaden recruitment, I created a digital poster (see Appendix E.) for participants to share within their communities, employing a snowball approach by asking interviewees for referrals. This strategic sampling aimed to gather individuals from diverse backgrounds and geographic areas who are directly impacted by the legal gender affirmation process in BC. The characteristics of the study participants are listed in *Table 2*.

Table 2. Characteristics of study participants

	Participants n = 8 (%)
Gender Identity <i>(* participants occupy multiple gender identities)</i>	
Transmasculine	4 (50%) *
Non-binary	3 (38%) *
Transfeminine	3 (38%) *
Gender nonconforming	1 (13%) *

Agender	1 (13%) *
Gender/Name Change	n = 8
Changed Gender in BC	5 (63%)
Changed Name in BC	4 (50%)
Changed Name and Gender in BC	4 (50%)
Changed Gender in Another Province	1 (13%)
Works or volunteers in community 2SLGBTQIA+ organizations that assist people in legal gender affirmation	n = 8
Is currently working or volunteering for a 2SLGBTQIA+ organization that assists people in legal gender affirmation in BC	4 (50%)
Has worked or volunteered in the past for a 2SLGBTQIA+ organization that assists people in legal gender affirmation in BC	2 (25%)

2.2.4. Interviews

I gathered my original data by conducting eight semi-structured interviews, each lasting approximately one hour, with key informants who are community workers and individuals with personal experience with the subject. The criteria for participating in this study were defined as people who were 19 years or older, lived in BC, and were transgender, non-binary, or gender diverse. Participants must have gone through the name and/or gender change process with Vital Statistics, considered it or routinely assist people in this process through their employment. I elected to include participants who had only considered the process to understand better what barriers deterred them from pursuing it. For participants who only considered the process, the criteria were that they identified with a different name or gender marker than was on their birth identity documents. All participants were sent a consent form and interview questions (see Appendix C and D) via email before the interview for preparation. Two sets of questions were utilized (refer to Appendix C and D): one tailored for individuals who reached out based on their employment with a queer organization specializing in legal gender affirmation assistance, and another set for individuals who were either contemplating or had undergone the process themselves. Through interviews, it became clear that there

was a great deal of overlap between participants who worked or volunteered to assist in this process and people who had considered or done it themselves, as noted in *Table 1*. Potential participants were allowed to either sign and return the consent form via email or verbally consent during a Zoom meeting before the interview, improving accessibility. The questions explored the current legal gender affirmation policies in BC and invited first-hand perspectives on the process (see Appendix C). Recruitment for interviews ended at the beginning of March 2024 due to time constraints and participant eligibility requirements. Many interested potential participants were ineligible due to their place of residence or completion of legal gender affirmation outside of BC.

2.2.5. Inductive Coding and Analysis

Initially, transcripts were generated from interview recordings using REV AI software to ensure precise word-for-word transcription. Once REV AI produced transcripts, I reviewed them for accuracy. Then, the data was inputted into NVivo, a qualitative data analysis software. Then, I carefully read and analyzed the transcripts, wherein new inductive codes emerged from the data, as seen in *Table 1*. This process revealed several specific sub-codes, such as *lack of parental information* and *access to professionals like doctors, lawyers, or notaries*, demonstrating unique BC-specific barriers in legal gender affirmation. Both deductive and inductive codes were employed in the coding process to identify key patterns and themes in the data, which are detailed in Appendix B.

Chapter 3. Results

3.1. Barriers

3.1.1. Administrative Complexity

Administrative complexity was the most frequently discussed barrier throughout interviews (n=8/8). In response to the primary question, “Were there any notable challenges or constraints you encountered during this process?” many participants noted that the process is convoluted overall. One requirement of the process that was surprising to most participants is that applicants may need to access a lawyer, notary, or doctor, depending on their situation. Before January 10th, 2022, individuals wishing to change the gender marker on their birth record required the support of a healthcare professional to do so. References to this past requirement occurred several times in interviews as a notable barrier because “the fact that like trans folks are still needing to seek affirmation in healthcare is oppressive in itself” (Participant 4). Some participants went through their transition before this requirement was amended. Fortunately, Vital Statistics BC removed this requirement; however, Vital Statistics still requires a notary, lawyer, or commissioner to have your signature witnessed. This affidavit requirement can pose a barrier for people who are disabled, living in remote communities or with limited financial resources. One participant stated:

“So, there's all these unseen harms and extra labour completely unnecessarily, and that are bigger harms than anything on the subject around changing gender markers and stuff is an enormous emotional barrier for trans people anyway because of all the dysphoria around it” (Participant 3).

This quote brings attention to the burden placed on the applicant in this process, revealing the hidden impacts of these stringent policies and procedures. Another participant echoed these sentiments by explaining that “due to the current policies and expectations in place, a lot of folks have identified that process to be frustrating and overwhelming, confusing particularly” (Participant 2). The participant, who is familiar with trans ID clinics, elaborated on the existing support structures and emphasized that while support does exist, it remains insufficient. The participant explained that “the very existence of the trans ID clinic is a signal that it isn't accessible or good right now” (Participant 2). The clinic this participant is referring to provides free trans ID sessions to

assist individuals in the administrative process of legally affirming one's gender through BC Vital Statistics. Lengthy waitlists make securing a spot in the clinic challenging, and even upon entry, individuals are allotted only a half-hour (Participant 2). These administrative complexities incurred by applicants can be exacerbated by factors such as neurodiversity. This was mentioned in seven interviews, where participants noted that this can pose an additional layer of complexity for applicants (n= 7/8). Individuals with conditions like ADHD or other executive dysfunctions may experience significant obstacles navigating the detailed, form-heavy, bureaucratic processes. One participant noted that "for my ADHD, which is hard, it is like everything needs to be done within 30 days or else its null and void" (Participant 4). The combination of stringent timelines, lack of available applicant administrative support, and absence of detailed instructions leave individuals feeling underserved and can result in incomplete paperwork. The process as it stands is viewed as so prohibitive that one participant explained:

"The occasional discomfort of having to be identified by a different name for me is actually less of an inconvenience than the prospect of going through the entire process" (Participant 8).

This quote highlights the challenging decisions individuals face when seeking legal gender affirmation, prompting reflection on whether the investment of time, resources, and complexity truly yields worthwhile results. Interviews revealed a consensus that the Province ought to provide more robust support throughout this journey, as numerous individuals opt to forego it entirely despite its potential to validate their identity.

3.1.2. Perceived Criminalization of Name Change

The second most frequently discussed theme in interviews was the perceived criminalization of name and gender change, which was referenced several times across interviews (n= 7/8). The application requirements, including fingerprinting and a criminal record check, bring additional scrutiny onto applicants with the potential for discrimination. Participants lamented that "fingerprinting is one of the biggest barriers everyone wants removed everywhere" (Participant 1). Many individuals within the queer community are reluctant to engage with law enforcement. Even routine interactions with police can be threatening as queer communities generally do not have trustworthy perceptions of law enforcement institutions or individuals therein. The mandatory nature

of fingerprinting and criminal record checks before the name change process is particularly daunting. Individuals can fulfill these requirements through commissionaires or accredited fingerprinting agencies. However, this informational discrepancy abounds because the forms and website explicitly guide applicants to police stations or the RCMP (Government of British Columbia, 2024). This creates a misconception that this is the sole method of completion. One participant explained that it is

“really unfortunate that on the name change application from Vital Statistics, they are like, go to the RCMP and they don't make it clear as far as I know that the commissionaire's office is in Surrey and Vancouver can do fingerprinting, and there's also private fingerprinting agencies like Global Fingerprinting and other ones, some that even can come to you remotely” (Participant 1).

Not only is this requirement perceived as burdensome and expensive, but two participants emphasized the perpetuation of stereotypical portrayals that label trans, non-binary, and gender-diverse individuals as deceitful or deceptive (n = 2/8). One participant noted:

“Yeah, another part is literally no human is pretending to be a trans person to do crime. And even if they were, who cares? There are enough bigger problems. So, it is the systems are set up to help cis people out of imaginary scenarios but are causing so much harm to real trans people struggling who again are disproportionately marginalized in incomprehensible ways” (Participant 3).

This harmful stereotype suggests that those with marginalized gender identities are deceitful and, thereby, have questionable motives for pursuing their name or gender change. Participants also observed a double standard across the province: that name changes precipitated by marriage involve fewer administrative barriers, eliminating the necessity for fingerprinting and criminal record checks. This also reflects the Province's disregard for the criminal histories of individuals altering their identity through assumed names in marriage while simultaneously being concerned with the criminal backgrounds of transgender individuals.

3.1.3. Cost

The cost of changing name and gender identity on ID in BC was a prevalent barrier and was referenced in seven interviews (n= 7/8). The overall cost of the process, including fingerprinting, ID, and fees, was reported as a significant financial burden,

especially for those experiencing income precarity. Participants emphasized the impracticality of affording \$200 to \$300 in fees, particularly for applicants of lower socio-economic status. Financial support from the provincial government for processing fees demands documentation such as a notice of assessments and income statements, which compounds the already high administrative complexity of the process. These requirements also assume that applicants would have such documents, which they may not if they work in the informal or 'grey' economy. One participant emphasized that:

“the fact that there's any cost required to it is a barrier right there, particularly when it's known that trans and gender diverse folks typically are underpaid, underemployed, [and] have higher rates of discrimination in employment” (Participant 2).

This participant emphasized the critical need to recognize the systemic challenges faced by trans and gender-diverse individuals, which leave them, overall, with fewer financial resources and less stable employment than cisgender people. Participants observed that financial stability and disposable income are practically prerequisites for completing the process of legal gender affirmation in BC. As one participant aptly stated, “300 and something dollars is not conducive for a lot of people, especially in this economy when people are barely making by or living paycheck to paycheck” (Participant 4). These financial barriers pose significant roadblocks for folks operating within a state of income precarity, as the cumulative expenses of this process appear to be prohibitive to achieving legal recognition of their identity.

3.1.4. Lack of Familial Connections and Support

The process of legal gender affirmation can be an emotional journey requiring tremendous personal strength and persistence. This was noted by seven out of eight participants (n= 7/8). These participants explained that family support, friends, and community are imperative to the mental health of applicants going through this process. Participants also referenced the difficulties in providing comprehensive parental information for the legal process. One participant explained that:

“Trans people have poor relationships with their parents, and so then their relationship with their parent then becomes a barrier to them being themselves and they also can't be themselves because their parents are not supportive” (Participant 3).

There is a requirement in obtaining your BC birth certificate that requires parental details as a screening question to access your document. This is challenging for individuals who lack access to such information or who's relationship with their family is strained. Many people do not know their parents' full names, maiden names, or places of birth, which prohibits them from obtaining their birth documents. Moreover, this policy acts as a barrier for these applicants, who have chosen their own self-expression over family that may not support them.

3.1.5. Processing Times

Processing times were noted as a significant barrier for many participants, referenced across all interviews (n= 8/8). Extended delays in ID processing pose obstacles in obtaining housing and employment. There is no system to notify applicants or update them on the progress of their application. Applicants must email or call Vital Statistics to receive an update, and participants noted that there had been confusion around their application status. After official name change finalization, updating all other ancillary identifications involves complex and time-consuming processes. The prolonged process of obtaining correct identification greatly hampers individuals' everyday functioning and their access to crucial services. This underscores the urgency for more streamlined procedures in updating foundational identification, allowing people to save time initially and redirect their efforts towards updating their other documents. Participants explained that this process of legally validating one's identity can be incredibly affirming; however, the complications that come with long processing times can be jarring. One participant noted that:

“especially because the process for some it's a really happy moment. And then for others it's really devastating because they realize that the process is a lot longer than they expected or there are complications because of a work visa or something like that” (Participant 2).

Processing times are further exacerbated by administrative issues such as obtaining specific supporting documents or documents that were submitted incorrectly. It was noted that a requirement of the process may force applicants to order and pay for old documents with their incorrect gender and name displayed, further amplifying the experience of gender dysphoria. One participant explained, “that added six weeks onto the process because I had to order a BC services card with my dead name on it and

then fill out forms to change my name, which is kind of frustrating” (Participant 6). These results suggest that delays in this process are largely due to unclear expectations, misinformation, and the absence of a structured system or platform to verify receipt of applications and ensure the inclusion of all required documentation for processing. Another participant confirmed this by explaining that:

“I've seen for people born outside Canada on the application it says you need a certified copy of your most recently issued Canadian citizenship card or certificate in your current legal name. I've seen multiple people's certificates get declined or cards get declined and then be like, this isn't the kind of certificate. And I feel like there's little examples at the bottom, and those aren't the only kinds of certificates that exist for people. And so, I don't know how they could be more clear about that, but that is definitely another issue I faced with people. I feel like that's the most exhausting stuff” (Participant 1).

This quote illustrates how gaps in policy and service are impacting these applicants, particularly for people who have immigrated here from elsewhere. This is important because individuals often immigrate to BC to pursue freedom of self-expression, opportunities, and an improved quality of life. However, these administrative barriers contradict the values upheld by our province and society. The current system fails to adequately support marginalized individuals, leading to prolonged delays and unjust barriers in their journey.

Chapter 4. Discussion

Participants' stories pointed to entrenched issues in the legal gender affirmation procedures in BC. However, there were clear themes illuminated in these interviews that indicate the potential for straightforward policy solutions. The participants advocated that their experience be viewed as distinct and separate from that of cisgender people completing name changes. While creating exceptions for these queer communities may feel unfair to the majority, it is critical for solutions to be community-specific in this instance. Everyone is required to go through these procedures and bureaucratic processes, but not everyone is subject to discrimination, systematic exclusion, and targeted violence.

The barriers revealed through this research shed light on participants' experiences with this bureaucratic process and illuminate gaps in current provincial policy. Each barrier presented in the results section of this paper relates to themes discussed in comparable work by other researchers and adds important BC-specific barriers to the conversation. The barrier of administrative complexity corresponds with the literature's focus on intricate challenges ingrained within bureaucratic structures. These complexities frequently discourage individuals from engaging in processes related to legal gender affirmation and other gender-affirming procedures (Restar et al., 2020). Furthermore, the perceived criminalization of the name change process, highlighted in this study, echoes concerns raised by other authors regarding the heightened vulnerability of transgender individuals to discriminatory practices within legal frameworks (Tan et al, 2022). The financial burden highlighted by several participants (n= 7/8) aligns with the conclusions drawn in Pearce, Erikainen, and Vincent's paper (2020), which elucidate how economic disadvantage intersects with gender identity. Marginalized individuals are disproportionately impacted by the expenses linked to legal gender affirmation. This notion is supported by the theoretical framework outlined in the Gender Minority Stress Theory, which highlights the considerable ramifications of societal discrimination, unjust legal frameworks, and systemic healthcare barriers—rooted in anti-trans stigma—on the health and overall welfare of transgender individuals (King & Garmel, 2021). Additionally, the importance of familial connections and support, as discussed in this study, aligns with the broader understanding of the crucial role that social support networks play in mitigating the adverse effects of societal

discrimination and facilitating the gender affirmation process (Scheim et al., 2020). Lastly, the significant impact of long processing times on individuals' well-being and access to essential services echoes the findings of Hendricks and Testa (2012), who emphasize the psychological distress experienced by transgender individuals within the framework of the gender minority stress theory due to prolonged delays in obtaining gender-concordant identification. These results emphasize the urgent need for comprehensive policy reforms and support mechanisms to address the systemic barriers faced by transgender, non-binary, and gender-diverse individuals in BC in the legal gender affirmation process.

4.1. Navigating the Bureaucracy

The interview results echo concerns raised in existing research regarding the administrative complexity of the name change process. In Goetz & Arcomano's (2023) study evaluating trans individuals' goals and barriers in seeking gender-affirming legal care and perspectives on the "X" gender marker, their results also reveal that participants experience 'logistical nightmares' when navigating the name and gender change process. The negative mental health impacts felt throughout the process are catalyzed by delays, complicated applications, and constant deadnaming by government employees (Goetz & Acromano, 2023). Participants expressed substantial emotional burdens associated with the process, describing it as an enormous barrier for trans individuals because of gender dysphoria. Enduring a months-long, potentially years-long, legal transition can be emotionally taxing due to the ongoing need to repeatedly explain or defend one's identity to service providers and government personnel. Frustration, overwhelm, and confusion were recurrent themes, with some considering the existence of trans ID clinics as a signal of the process's inaccessibility. These experiences contradict the essence of what an affirming process should feel like. People with marginalized gender identities should feel like they can trust their government to support them through self-actualization. As it stands, the governmental process reinforces the painful dynamics of gender dysphoria, which can be retraumatizing, at the least, for gender-diverse people and, in some instances, actively harmful. This lends itself to question how the government supports individuals in this community who suffer mental health ramifications through this process. While this research primarily centers on the governmental process rather than the efficacy of support services, it is crucial to

acknowledge that these services play a vital role in the current landscape. The scarcity of accessible support significantly impacts the whole community.

4.2. Perceived Criminalization of Queer Identities

The perceived criminalization of name changes in BC, with requirements such as fingerprinting and criminal record checks, serves as poignant illustrations of the impact of the gender minority stress theory (Hendricks, & Testa, 2012). This policy subjects transgender, non-binary, and gender-diverse individuals to additional scrutiny, and reinforces harmful anti-trans stereotypes, as echoed in the sentiments expressed during interviews. Participants found the fingerprinting and criminal record check requirements for legal gender affirmation to be unacceptable and prohibitive, expressing in interviews that these measures not only burdened applicants with interactions with law enforcement but also instilled a sense of unease throughout the process. Many shared how screening for criminal offences seemed to unfairly associate being trans or gender-diverse with criminality or malicious intent. This association, coupled with sensationalized media stories perpetuating stereotypes of trans individuals deceiving the public with their identity, reinforces and exacerbates these damaging preconceptions.

Historically, queer communities have endured complex relationships with law enforcement on the individual and collective levels. Perceptions of police, Royal Canadian Mounted Police (RCMP), and other law enforcement entities among queer individuals tend to be negative (Girardi, 2022). Dating back to the Stonewall riots, the liberation of queer people and resistance against law enforcement has been a powerful theme (Girardi, 2022). Displaying visible signs of queerness, such as non-conforming gender expression or androgyny, frequently results in risky encounters with law enforcement (Girardi, 2022). Despite facing an elevated risk of victimization, queer individuals do not perceive law enforcement as a source of safety or protection (Hodge & Sexton, 2020). This sentiment is particularly pronounced among racialized transgender people, who harbour a legitimate fear of engaging with law enforcement due to past experiences of discrimination (Hodge & Sexton, 2020). This fear has detrimental consequences for the trans, non-binary, and gender-diverse communities, as it discourages them from reporting crimes out of mistrust in the police and the justice system, leaving these communities more vulnerable to violence. It has also been found

that holding a gender-concordant ID increases trans, non-binary and gender-diverse individuals' comfort with seeking police assistance (Loza, et al, 2021).

Mistrust and fear of law enforcement are pertinent because the legal name change process in BC involves obtaining fingerprinting and a criminal record check. Although there is the option to fulfill this requirement through non-police, non-RCMP accredited agencies, access to such agencies is severely limited and not widely publicized. Many queer individuals believe their queer identity influences how law enforcement may perceive and interact with them (Hodge & Sexton, 2020). Required interactions with law enforcement as part of the name change process are a significant barrier for gender-diverse people and can discourage people entirely from the process.

Participant 3's earlier remarks highlight the systemic damage caused by policies that prioritize hypothetical situations over the genuine struggles of transgender individuals. Instead of addressing the real challenges such as housing, healthcare, and economic inequality faced by the trans community, these policies concentrate on imagined threats. These policies not only reinforce harmful stereotypes but exacerbate existing marginalization. The participant's statement demonstrates the need for policies that prioritize the well-being and dignity of all individuals, regardless of their gender identity. It underscores the importance of dismantling the harmful stereotypes and barriers that hinder access to legal gender affirmation. By centering the experiences and needs of trans and gender-diverse individuals, policies can create a more inclusive and equitable society where everyone can access the support and resources they need to live authentically and free from discrimination.

Queer individuals often have complex relationships with the RCMP and police that stem from generations of police violence against queer communities (Girardi, 2022). In an interview, a participant expressed that “for name change applications to be sending people to RCMP. I feel like the queer community has enough trauma with cops” (Participant 1). This barrier and aversion to law enforcement interactions is a confoundingly common thread in the interview data and was suggested to not be obligatory in the process. One participant suggested that:

“I think mandatory competent legal trainings would be a great thing along with inclusivity training for all government staff like ICBC, health authorities, stuff like that. And not just queer 101, more in-depth about the experiences of trans and gender diverse folks from a social

determinants of health perspective, more offerings of a trans ID clinic or a similar service” (Participant 2).

Suggestions like these highlight applicants' desire for their experiences to be understood by the public servants tasked with helping them through this process. In Canada we've seen how legal trainings can improve social outcomes such as the changes to the Judges Act in 2021 that requires candidates seeking an appointment to a provincial supreme court to agree to participate in training on matters related to sexual assault law and social context, which includes systemic racism and systemic discrimination (Government of Canada, 2021). This approachable update to training policy could reduce the interpersonal stressors for people engaged in this process.

4.3. Financial Barriers for Gender Minorities

The financial barriers of this process in BC, evident in both existing literature and these interviews, further hinder the process, particularly for those facing income precarity. Queer people are often excluded from formal employment and over-represented in informal employment, such as sex work, which often translates to income precarity (Kinitz et al., 2024). Through interviews, participants recurrently highlighted the daunting costs associated with the process, emphasizing the burden of fees ranging from \$200 to \$300. This financial strain is particularly acute for those already grappling with income precarity, compounded by systemic issues such as underpayment, underemployment, and workplace discrimination prevalent within queer communities (Kinitz et al., 2024). The process as it currently exists requires a level of financial security and employment stability that many trans people don't have. In fact, many people undergo this process hoping to build such a future. To further compound these disadvantages through such a high barrier administrative process entrenches these dynamics in the gender-diverse community and is antithetical to the very goal of obtaining gender-concordant ID. Basically, you need financial stability and a level of privilege to try and get an ID, which is a prerequisite to establishing stability and financial freedom. As articulated by one participant, the expectation for individuals to bear such exorbitant fees solely to affirm their identity is fundamentally unjust and reflects systemic inequalities in BC's provincial systems. Notably, the experiences shared by participants underscore that financial stability and disposable income are required for navigating the process, thereby excluding financially marginalized individuals from accessing legal

recognition of their identity. In other words, you need financial stability to even engage in the ID acquisition process, which is a foundation to financial stability. In terms of how the provincial government could better support these communities, one participant noted that:

“I would like to see more government subsidization of the process”
(Participant 6)

These sentiments contribute tangible solutions to the policy gaps in BC’s provincial legal gender affirmation process. It is critical that these suggestions are considered so that trans, non-binary, and gender-diverse people can get the legal affirmation experience they deserve. The provincial government is responsible for creating conditions and setting up systems for all humans to thrive. This is a major oversight for a government that should be interested in reducing barriers for people to have increased agency, self-expression, and financial stability.

4.4. Impacts of Strained Family Relationships

Another barrier discussed frequently in interviews was the lack of familial and community connections, which pose difficulties in obtaining necessary birth documents, particularly for individuals with strained family relationships. BC's over-representation of gender-diverse individuals compared to other jurisdictions in Canada does not guarantee supportive familial environments (Statistics Canada, 2022). It's imperative to recognize that the legal gender affirmation process should be equally accessible to everyone, regardless of familial circumstances. Whether individuals have faced familial rejection, been expelled from their homes, or have found support in chosen families unable to provide the necessary paperwork, they deserve equitable access to gender affirmation. Multiple participants noted this as a significant and mentally distressing variable in the process. When familial relationships are strained or nonexistent, individuals may encounter barriers to obtaining necessary documentation, such as birth certificates. This can result in delays or complications in the legal process, further exacerbating the mental distress experienced by individuals seeking gender affirmation. Familial rejection, being expelled from homes, and financial disconnection experienced by queer individuals during their teenage and young adult years due to their sexual orientation or transgender identity often result in isolation and prejudice from both their families and communities (Kinitz et al., 2024). These experiences can lead to homelessness,

financial struggles, and a constant battle for survival, leaving little opportunity for pursuing career aspirations (Kinitz et al., 2024). The absence of familial and community support may leave individuals feeling isolated and unsupported, compounding the already significant emotional challenges inherent in the process of legal gender affirmation. As one participant noted:

“I’d also tell people to like, yeah, try and get a sense of community if you can, of like other trans folks to uplift you and like support you and like guide you through it because I have a friend that has told me a lot about their name change and their experience with it and its reassuring to me like, okay, they got through it, I’ll get through it” (Participant 4)

This quote points to the fact that whether it be family, or chosen family, community can be the catalyst to someone pursuing this life-affirming measure. Addressing these barriers and providing resources for individuals who lack familial and community connections is crucial for ensuring equitable access to legal gender affirmation and mitigating the mental health impacts associated with the process. This barrier is seemingly a product of policies that do not acknowledge the specific population they impact the most.

4.5. Government Processes for the Privileged

Processing times significantly exacerbate barriers faced by queer individuals, a phenomenon further compounded by the influences of cis-heteronormativity and adverse experiences during adolescence (Kinitz et al., 2024). These delays impact housing, employment, and geographic mobility, and restrict individuals from living authentically and freely as their true selves. As indicated by previous studies, cis-heteronormative societal structures and discriminatory practices disproportionately affect 2SLGBTQIA+ individuals in various facets of life, including access to employment and housing (Kinitz et al., 2024). The stark contrast between the ease with which individuals can assume names through marriage, devoid of administrative procedures, fees, or criminal record checks, and the rigorous requirements imposed on transgender individuals simply to affirm their own identities demonstrates a notable double standard. It tells us who in society is valued and trusted and who is not. Therefore, prolonged processing times not only perpetuate existing inequalities but also hinder efforts to combat them, limiting labour market access, housing opportunities, and social inclusion of queer individuals. This affirms the urgent need for social policy reforms that specifically address the unique

barriers experienced by queer individuals, thereby fostering a more equitable and inclusive public policy in BC.

British Columbia is not unique in these structural obstacles, and gender-diverse individuals across Canada are part of a broader international community that stands to benefit from effective policy interventions. It is crucial to acknowledge that although non-binary, transgender, and all gender-diverse experiences are distinct, they share common barriers. The process of transitioning identification documents serves as a means for individuals to affirm their social, political, and psychological legitimacy while equipping them with internal resources to navigate instances of mistreatment and discrimination based on gender (Restar et al., 2020).

4.6. Theoretical Implications

The theoretical implications of this study, in the context of the Gender Minority Stress Theoretical framework, are multifaceted. Firstly, the findings parallel the theory's assertion regarding the profound impact of societal discrimination, unjust legal frameworks, and systemic barriers to healthcare on the health and well-being of transgender individuals. The barriers identified—administrative complexity, perceived criminalization, financial constraints, lack of familial and community support, and prolonged processing times—align with the core tenets of the Gender Minority Stress Theory. They highlight how these structural barriers contribute to heightened stress and mental health challenges among transgender, non-binary, and gender-diverse individuals, consistent with the theory's emphasis on the adverse effects of minority stressors. The study's identification of specific barriers, such as the perceived criminalization of the name change process and the financial burden associated with legal gender affirmation, adds depth to the theoretical understanding of gender minority stress. It illustrates how these systemic injustices perpetuate minority stress and contribute to the marginalization of transgender individuals, echoing the theory's premise that minority stress arises from external social conditions rather than individual characteristics. The stress of being perceived as a gender minority, or queer can be enough to deter someone from pursuing legal gender affirmation. Additionally, the results' emphasis on the importance of familial and community support in mitigating the adverse effects of gender minority stress aligns with the Gender Minority Stress Theory's recognition of the protective role of social support networks and how they operate to

mitigate these effects. Overall, this study's findings provide empirical support for the Gender Minority Stress Theory framework and contribute to a deeper understanding of the systemic barriers faced by transgender, non-binary, and gender-diverse individuals in the legal gender affirmation process in BC. They confirm the urgent need for policy reforms and support mechanisms to address these barriers and promote the health and well-being of gender minority communities.

4.7. Study Limitations

This study aims to provide in-depth insights rather than seek generalizability within this research subject. The goal was to uncover barriers in the process of legal gender affirmation in BC for trans, non-binary, and gender-diverse individuals. This study achieved that but has two notable limitations. First, there may be barriers experienced by applicants that are not reflected in the results of this study. This study provides a great foundation for further capturing the perspectives of trans, non-binary, and gender-diverse people who were not engaged in this study. Second, there was limited flexibility with the timing of the study between ethics approval and required submission, necessitating the early cessation of interviews. Despite these noted limitations, the interview data revealed a consistent set of ideas, attitudes, and emotions among participants. This consistency lends confidence to the qualitative findings, suggesting they offer valuable insights for policymakers across various settings. Many of the barriers identified in this study were consistent with the available literature on this subject. These findings can inform policy development and implementation efforts to address these barriers and promote equity and inclusivity for all individuals seeking legal recognition of their gender identity.

Chapter 5. Policy Recommendations and Implications

The thematic coding of the eight semi-structured interviews informed the following policy recommendations. Each of the policy recommendations uniquely addresses an identified barrier in this process, and by implementing these over time, the process of legal gender affirmation can be improved.

5.1. Policy Option 1: Legislatively amend the Name Act to exempt transgender, non-binary, and gender-diverse people from fingerprinting and criminal record checks.

Fingerprinting and criminal record checks are a required element of the process of changing one's name in BC described by sections 6.1(1) and 7(1.1) in the Name Act:

Section 6.1(1) and 7 (1.1) in the Name Act:

Criminal record check

6.1 (1) A person entitled to change the person's name or the name of the person's minor child under section 4 must, within the 30-day period before the person files an application under section 7, start a process, satisfactory to the registrar general, for a criminal record check of the person whose name is to be changed.

Documents to be filed with registrar general

7 (1.1) In addition to the requirements set out in subsection (1), an applicant for a change of the applicant's name must file with the registrar general a form that authorizes the registrar general to provide the Royal Canadian Mounted Police with:

(b)the applicant's fingerprints,

(d)other personal information of the applicant that is necessary for a criminal record check to be conducted.

This requirement was implemented in 2003 due to concerns for people seeking name changes to avoid criminal charges, court orders, and financial obligations (The Canadian Press, 2010). This was in the interest of public safety to ensure that anyone charged or convicted of a crime can't hide it, but also protects people from being associated with crimes they did not commit (Vancouver Police Department, 2024). Although this requirement is essential to completing this process, it was noted

throughout interviews that it is time-consuming, expensive, and obliges people to go to an RCMP station or police station, which can be traumatic for queer people. This procedure perpetuates an assumption that anyone seeking a name change is associated with criminal activity or dubious motives, adding a layer of discrimination for transgender individuals. The application for changing a name presents RCMP and police detachments as the initial choices, omitting alternative fingerprinting avenues provided by private agencies and other less law enforcement-centric options directly on the form. Instead, it guides applicants to another page through a hyperlink. The additional agency options remain unseen if the form is being filled out manually without computer access. This policy option recommends the VSA amend existing legislation to create an exception for this requirement for transgender, non-binary, and gender-diverse people going through the legal gender affirmation process. This will better meet the needs of the communities this legislation directly impacts by alleviating stress related to this highlighted barrier in the process of legal gender affirmation in BC.

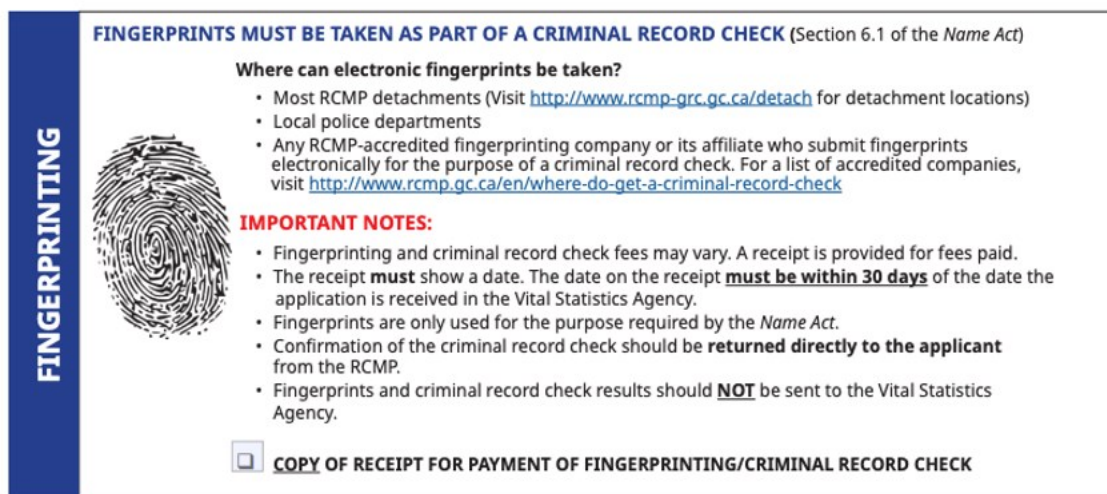


Figure 1. Fingerprint requirement from VSA 529 (BC Adult Change of Name Application) (Government of British Columbia, 2024)

5.1.1. Implications

The policy implications of legislatively amending the Name Act to allow exemptions to the requirement for fingerprinting and criminal record checks are significant; however, it is important to note the potential drawbacks. Such an amendment would alleviate a stigmatizing aspect of the legal name change process for trans, non-binary, and gender-diverse individuals in BC. However, there is a potential for pushback

from the public on this option because of fear that people with criminal backgrounds may seek this loophole to avoid being flagged. By allowing exemption from fingerprinting and criminal record checks, this policy change would reduce the time, expense, and potential trauma associated with these requirements for members of the queer community. It would signify a crucial step towards fostering inclusivity and respect for the dignity of transgender, non-binary, and gender-diverse individuals. The current blanket procedure perpetuates harmful assumptions and stereotypes by associating name changes with criminal activity or dubious motives, unfairly discriminating against transgender individuals in the process.

It is important to note that fingerprinting and criminal record checks are required steps for all people seeking a legal name change in BC; however, processes such as these impact queer communities differently. Amending the legislation to allow exemptions for fingerprinting and criminal record checks would align with the BC Government's principles of fairness, equity, and accessibility. Overall, the proposed policy change to amend the Name Act represents a significant step towards advancing social justice and upholding the rights of transgender, non-binary, and gender-diverse individuals in BC. It would create a more equitable and respectful legal framework that better serves the diverse needs of the communities directly impacted by this legislation.

5.2. Policy Option 2: Create an online application process and portal featuring application status and requirements checklist.

The current requirement to submit applications via mail or in person creates significant barriers everyone, but specifically for neurodivergent individuals, those with disabilities, and those living in remote communities. Although an online option exists to initiate the application process, it should facilitate a complete online submission process. This is because it still requires printing (which presents another barrier) and adherence to the same mandatory steps as the traditional paper application. A solution to these barriers could be making the entire process available online. Given that the application is already partially accessible online, this policy option proposes allowing applicants to upload their official documents online, a practice already implemented in various processes throughout the BC government and the Government of Canada (Ministry of Citizen's Services, 2024) (Employment and Social Development Canada, 2021). Identity

verification is already in place through the BC Services card application, which is accessible on mobile phones. This policy option would address the aforementioned barriers and streamline the application process for a more inclusive experience.

One recurring barrier voiced by participants in this study was uncertainty regarding the duration of their application process; applicants were concerned whether they had fulfilled all requirements and were generally unclear on the expected timeline for receiving their new certificates. Currently, the only means to obtain information or updates on application status is through formal email correspondence with Vital Statistics or by phone. One participant even shared an experience of receiving incorrect information about their application status, leading to further delays in processing and completion (Participant 5). An online portal would allow applicants to access real-time updates on their application status at their convenience. It would streamline communication and alleviate the burden on Vital Statistics staff by reducing the need for external communication. This concept aligns with existing practices across various ministries within the BC government, ensuring a secure and confidential process through rigorous screening and confidentiality measures.

5.2.1. Implications

Allowing applicants to complete the entire application process online, including uploading official documents, eliminates the need for physical mail or in-person submissions, making the process more convenient and accessible for all. Additionally, a fully online application process and portal aligns with broader trends toward digital transformation and modernization within government services. The BC Government released a new *Digital Plan* in 2023 that addresses identified barriers in service delivery and aims to ensure “we can deliver inclusive, accessible and connected services that are designed with people and for people” (Ministry of Citizen’s Services, 2023). By leveraging technology and digital platforms, the provincial government can improve service delivery, enhance transparency, and increase public trust in the administration of legal gender affirmation processes. This has already been proven possible by platforms such as *Health Gateway*, which the Ministry of Health formed in twenty-two weeks in response to the COVID-19 pandemic (Ministry of Citizen’s Services, 2023). Created through partnerships with patients, *Health Gateway* consolidates online platforms, providing individuals with seamless access to their health data in a secure and user-

friendly manner (Ministry of Citizen's Services, 2023). This is facilitated by logging in via the BC Services Card mobile app. A similar online application portal for legal gender affirmation in BC would have a significant positive impact, including enhancing transparency, efficiency, and accessibility in the application process while also aligning with the Province's goals for better digital government service delivery. Overall, a fully online application process for legal gender affirmation in BC would not only improve accessibility and streamline the process but also align with the provincial government's commitment to modernization, efficiency, and inclusivity in government services. This would streamline communication and reduce the burden on Vital Statistics staff by minimizing the need for manual correspondence.

5.3. Policy Option 3: Create a transgender, non-binary, and gender-diverse-specific application with detailed guidance that allows users to make name and gender marker changes within the same application.

The process for legal name and gender marker change applications in BC involves two distinct applications, each necessitating its unique set of supporting documents, forms, and fees. This policy recommendation suggests that the Province, specifically the Vital Statistics Agency, revise its internal policy to have a single application for both processes. The recommendation would include a dedicated form catering to individuals seeking legal gender affirmation. This adjustment aims to offer a more tailored approach for trans, non-binary, and gender-diverse applicants, enhancing the specificity of their situation. The intended outcome is a more streamlined process that enables governmental staff to readily identify instances where individuals are seeking legal affirmation of their gender to assist them administratively more appropriately. By implementing a unified application process for both name and gender changes, barriers could be reduced for all applicants. For instance, individuals who wish to change their gender but are hesitant to disclose their identity directly could benefit from a more streamlined process. Having a single form for name and gender changes would simplify administrative procedures, promote inclusivity, and reduce the stigma associated with gender identity transitions. This approach acknowledges the diverse needs of individuals seeking name changes while fostering a more supportive and accessible environment for all members of society. Improving the clarity of eligibility

criteria and accepted forms of identification on both applications would also be advisable. This measure alleviates confusion for applicants as they assemble their submissions and accompanying documents. Barriers were identified throughout interviews, explaining that failure to adhere to the specified format when submitting birth certificates, marriage certificates, citizenship, or permanent residency cards may result in these crucial supporting documents being rejected. Documents that are inaccurately labelled, outdated, or damaged risk being deemed unacceptable, potentially leading to additional processing delays. One valuable suggestion from a participant is to create a personalized quiz or guide map specifically for trans, non-binary, and gender-diverse applicants. This tool would enable applicants to input their details regarding citizenship, place of birth, and intended changes, providing tailored guidance on navigating the application process.

5.3.1. Implications

The policy implications of creating a transgender, non-binary, or gender-diverse-specific application that combines name and gender marker changes are of value. Consolidating the legal name change and gender marker change processes into a single application would streamline the administrative burden for applicants by simplifying the documentation, forms, and fees required. This revision would reduce duplication of efforts and paperwork, making the process more efficient and accessible for individuals seeking legal gender affirmation. This policy change would address these communities' unique needs and experiences identified throughout interviews by offering a more tailored approach. Enhancing the clarity of eligibility criteria and accepted forms of identification on both applications would significantly reduce confusion for applicants as they compile their submissions and supporting documents. This revision would ensure that applicants clearly understand the requirements and expectations and minimize the risk of errors or omissions that could lead to the rejection of crucial supporting documents. Implementing the suggestion of creating a personalized quiz or guide map for applicants would further enhance the accessibility and effectiveness of the application process (Participant 1). By enabling applicants to input their circumstances and receive tailored guidance on navigating the application process, this tool would empower individuals to navigate the process more efficiently and effectively, reducing confusion and potential errors. This policy recommendation allows government staff to

provide more effective support and guidance throughout the process, ultimately improving the experience for applicants. Revising the applications to be more precise and provide more detailed explanations of expectations, documents, and individual circumstances would also bring accessibility, inclusivity, and efficiency to the legal gender affirmation process.

Chapter 6. Conclusion

This research spotlights the barriers faced by transgender, non-binary, and gender-diverse individuals within the legal gender affirmation process in BC. It emphasizes the complex procedures, financial burdens, lack of adequate support, and extended processing times, collectively contributing to adverse social, economic, and health-related outcomes. However, the legal gender affirmation process in BC is poised for significant improvement if a combination of all three of these policy recommendations are implemented. Each uniquely addresses an identified barrier in this process, and by implementing these over time, the process of legal gender affirmation can be improved. Following a thorough analysis of the literature and data collected, it is recommended that BC prioritize the initial implementation of *Policy Option 1: Legislatively amend the Name Act to exempt transgender, non-binary, and gender-diverse people from fingerprinting and criminal record checks*. This policy option responds directly to the most frequently discussed barrier in interviews, indicating its potential to have the most substantial positive impact on the legal gender affirmation process.

It is critical to shift the perspective that affirming gender through means of legal ID is not a choice, but rather “a structural determinant of health for trans people, who already face inequities in health and access to healthcare . . . gender recognition policies (should be seen) as a fundamental human right” (Scheim, Perez-Brumer, & Bauer, 2020, pg. 6). In proposing these policy recommendations, this research advocates for a transformative shift in the current legal landscape, emphasizing the importance of accessibility, support, and rights of transgender, non-binary, and gender-diverse individuals. The findings and recommendations of this study provide a foundation for future advocacy efforts, urging policymakers to create an environment that supports the self-actualization and social transition of gender-diverse individuals in BC. This data suggests current policies regarding gender and name changes in BC relegate applicants to the realm of unattainable luxury rather than a fundamental human right. How this policy creates an unforgiving reality for folks trying to navigate it parallels how these communities are viewed and treated in society. BC must prioritize creating an environment where all individuals feel safe and valued. The perspectives offered by these participants should demonstrate their conviction in the proposed solutions. Not only is engaging in the legal gender affirmation process itself a difficult and courageous

step to self-actualization in society but speaking about barriers was a generous and clear-eyed effort to help improve our government's systems. While BC has made significant advancements in socially progressive policies over the past 15 years, notably through initiatives like the adoption of the Declaration on the Rights of Indigenous Peoples Act (DRIPA) and Sexual Orientation and Gender Identity (SOGI) in schools, progress must continue beyond these milestones (Government of British Columbia, 2024) (Ministry of Indigenous Relations and Reconciliation, 2024). Legal gender affirmation in BC is overly time-consuming, complex, and expensive, necessitating more efficient, simplified solutions and policy restructuring to adequately address the needs of transgender, non-binary, and gender-diverse individuals in BC. Change is imperative to uphold the BC Government's dedication to GBA+, diversity, inclusion, and equitable policymaking.

Reference List

- Aultman, B. (2014). Cisgender. *TSQ : Transgender Studies Quarterly*, 1(1-2), 61–62. <https://doi.org/10.1215/23289252-2399614>
- Burgwal, A., Gvianishvili, N., Hård, V., Kata, J., Nieto, I. G., Orre, C., Smiley, A., Vidić, J., & Motmans, J. (2021). The impact of training in transgender care on healthcare providers competence and confidence: a cross-sectional survey. *Healthcare (Basel)*, 9(8), 967. <https://doi.org/10.3390/healthcare9080967>
- Canadian Institutes of Health Research. (2023). What is gender? What is sex? - CIHR. Government of Canada. <https://cihr-irsc.gc.ca/e/48642.html>
- Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada. (2022). TriCouncil Policy Statement: Ethical Conduct for Research Involving Humans. <https://ethics.gc.ca/eng/documents/tcps2-2022-en.pdf>
- Courthouse Libraries BC. (2022). Name changes—Publication | Courthouse Libraries BC. Name Changes - Publication. <https://www.courthouselibrary.ca/how-we-can-help/our-legal-knowledge-base/name-changes-publication>
- Currah, P., & Walter de Gruyter & Co. (2022). *Sex is as sex does: governing transgender identity* / Paisley Currah. New York University Press.
- Department of Justice Canada. (2023). State of the Criminal Justice System Dashboard. <https://www.justice.gc.ca/socjs-esjp/en/dash-tab/definitions>
- Employment and Social Development Canada. (2021). Online services and forms [Program descriptions]. Government of Canada. <https://www.canada.ca/en/employment-social-development/corporate/online-services-forms.html>
- Girardi, R. (2022). 'It's easy to mistrust police when they keep on killing us': A queer exploration of police violence and LGBTQ+ Victimization. *Journal of Gender Studies*, 31(7), 852–862. <https://doi.org/10.1080/09589236.2021.1979481>
- Goetz, T. G., & Arcomano, A. C. (2023). "X" marks the transgressive gender: A qualitative exploration of legal gender-affirmation. *Journal of Gay & Lesbian Mental Health*, 27(3), 304–318. <https://doi.org/10.1080/19359705.2021.2008572>
- Government of Alberta. (2024). Life events | Alberta.ca. Alberta.Ca. <https://www.alberta.ca/life-events>

- Government of British Columbia. (2024). Birth, adoption, death, marriage and divorce. Province of British Columbia. <https://www2.gov.bc.ca/gov/content/life-events>
- Government of British Columbia. (2024). Erase| Sexual Orientation & Gender Identity (SOGI). Province of British Columbia. <https://www2.gov.bc.ca/gov/content/erase/sogi>
- Government of Canada. (2024). How do I change the sex or gender identifier on my application or document?. Immigration, Refugees and Citizenship Canada. <https://ircc.canada.ca/english/helpcentre/answer.asp?qnum=1253&top=32>
- Government of Canada. (2022). 2SLGBTQI+ terminology – Glossary and common acronyms. Women and Gender Equality Canada. <https://women-gender-equality.canada.ca/en/free-to-be-me/2slgbtqi-plus-glossary.html>
- Government of Canada. (2021). Judicial continuing education in sexual assault law and social context. Government of Canada. <https://www.justice.gc.ca/eng/csj-sjc/pl/jt-fj/index.html>
- Government of Canada. (2019). Identity verification requirements. <https://www.tpsgc-pwgsc.gc.ca/esc-src/nouvelles-news/01-29-2019-eng.html>
- Government of Manitoba. (2024). Manitoba Vital Statistics Branch | Province of Manitoba. Province of Manitoba - Manitoba Vital Statistics Branch. <https://vitalstats.gov.mb.ca/>
- Government of New Brunswick. (2010). For Residents—New Brunswick. New Brunswick Canada. https://www2.gnb.ca/content/gnb/en/gateways/for_residents.html
- Government of Newfoundland and Labrador. (2024). Birth, Marriage & Death. Digital Government and Service NL. <https://www.gov.nl.ca/dgsnl/birth/>
- Government of Northwest Territories. (2024). Health and Social Services [Government of Northwest Territories]. Government of the Northwest Territories. <https://www.hss.gov.nt.ca/en>
- Government of Nova Scotia. (2024). Births, deaths, marriages, identity and care—Government of Nova Scotia. Nova Scotia; Communications Nova Scotia. <https://beta.novascotia.ca/topic/births-deaths-marriages-identity-and-care>
- Government of Nunavut. (2024). Identification and Certificates | Government of Nunavut. Nunavut. <https://www.gov.nu.ca/en/identification-and-certificates>
- Government of Ontario. (2024). Change name | ontario.ca. Service Ontario. <http://www.ontario.ca/page/change-name>

- Government of Prince Edward Island. (2023). Gender-Affirming Health Services. Prince Edward Island Canada.
<https://www.princeedwardisland.ca/en/information/health-pei/gender-affirming-health-services>
- Government of Québec. (2022). Change of name. Québec.
<https://www.etatcivil.gouv.qc.ca/en/change-name.html>
- Government of Saskatchewan. (2024). Services for Residents. eHealth Saskatchewan.
<https://www.ehealthsask.ca/residents>
- Government of Yukon. (2024). Births, marriages and deaths. Yukon.
<https://yukon.ca/en/births-marriages-and-deaths>
- Guest, et, al. (2013). Qualitative Research: Defining and Designing. In Collecting Qualitative Data: A Field Manual for Applied Research. SAGE Publications, Ltd,
<https://doi.org/10.4135/9781506374680>
- Hendricks, M. L., & Testa, R. J. (2012). A conceptual framework for clinical work with transgender and gender nonconforming clients: An adaptation of the Minority Stress Model. *Professional Psychology: Research and Practice*, 43(5), 460–467.
<https://doi-org.proxy.lib.sfu.ca/10.1037/a0029597>
- Hill, B. J., Crosby, R., Bouris, A., Brown, R., Bak, T., Rosentel, K., VandeVusse, A., Silverman, M., & Salazar, L. (2018). Exploring Transgender Legal Name Change as a Potential Structural Intervention for Mitigating Social Determinants of Health Among Transgender Women of Color. *Sexuality Research & Social Policy*, 15(1), 25–33. <https://doi.org/10.1007/s13178-017-0289-6>
- Hodge, J. P., & Sexton, L. (2020). Examining the blue line in the rainbow: the interactions and perceptions of law enforcement among lesbian, gay, bisexual, transgender and queer communities. *Police Practice & Research*, 21(3), 246–263. <https://doi.org/10.1080/15614263.2018.1526686>
- Hollar, J. (2018). The political mediation of Argentina's gender identity law: LGBT activism and rights innovation. *Journal of Human Rights*, 17(4), 453–469.
<https://doi.org/10.1080/14754835.2018.1450739>
- Hunter, J., Butler, C., & Cooper, K. (2021). Gender minority stress in trans and gender diverse adolescents and young people. *Clinical Child Psychology and Psychiatry*, 26(4), 1182–1195. <https://doi.org/10.1177/13591045211033187>
- King, W. M., & Gamarel, K. E. (2021). A Scoping Review Examining Social and Legal Gender Affirmation and Health Among Transgender Populations. *Transgender Health*, 6(1), 5–22. <https://doi.org/10.1089/trgh.2020.0025>

- Kinitz, D. J., Ross, L. E., MacEachen, E., Fehr, C., & Gesink, D. (2024). "...full of opportunities, but not for everyone": A narrative inquiry into mechanisms of labor market inequity among precariously employed gay, bisexual, and queer men. *American Journal of Industrial Medicine*, 67(4), 350–363. <https://doi.org/10.1002/ajim.23574>
- Lau, H. (2018). Gender recognition as a human right. *The Cambridge Handbook on New Human Rights: Recognition, Novelty, Rhetoric* (edited by Andreas von Arnould, Kerstin von der Decken & Mart Susi), Forthcoming., UNC Legal Studies Research Paper. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3056110
- Loza, O., Beltran, O., Perez, A., & Green, J. (2021). Impact of name change and gender marker correction on identity documents to structural factors and harassment among transgender and gender diverse people in Texas. *Sexuality, Gender & Policy*, 4(2), 76–105. <https://doi.org/10.1002/sqp2.12035>
- Ministry of Citizen's Services. (2024). Service BC. Province of British Columbia. <https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/citizens-services/servicebc>
- Ministry of Citizen's Services. (2023). Digital Plan 2023. Province of British Columbia. <https://digital.gov.bc.ca/policies-standards/digital-plan/>
- Ministry of Indigenous Relations and Reconciliation. (2024). Declaration on the Rights of Indigenous Peoples Act—Province of British Columbia. Province of British Columbia. <https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/united-nations-declaration-on-the-rights-of-indigenous-peoples>
- Movement Advancement Project. (2024). Identity document laws and policies. https://www.lgbtmap.org/equality-maps/identity_documents
- Name Act*, BC 1996. https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96328_01
- Ozbilgin, M. F., Erbil, C., Baykut, S., & Kamasak, R. (2023). Passing as resistance through a Goffmanian approach: Normalized, defensive, strategic, and instrumental passing when LGBTQ+ individuals encounter institutions. *Gender, Work, and Organization*, 30(3), 862–880. <https://doi.org/10.1111/gwao.12928>
- Rappole, A. (2015). Trans People and Legal Recognition: What the U.S. Federal Government Can Learn From Foreign Nations. *Maryland Journal of International Law*, 30, 191. https://heinonline-org.proxy.lib.sfu.ca/HOL/Page?collection=journals&handle=hein.journals/mljilt30&id=194&men_tab=srchresults

- Restar, A., Jin, H., Breslow, A., Reisner, S. L., Mimiaga, M., Cahill, S., & Hughto, J. M. (2020). Legal gender marker and name change is associated with lower negative emotional response to gender-based mistreatment and improve mental health outcomes among trans populations. *SSM - Population Health*, 11, 100595. <https://doi.org/10.1016/j.ssmph.2020.10059>
- Scheim, A. I., Perez-Brumer, A. G., & Bauer, G. R. (2020). Gender-concordant identity documents and mental health among transgender adults in the USA: a cross-sectional study. *The Lancet. Public Health*, 5(4), e196–e203. [https://doi.org/10.1016/S2468-2667\(20\)30032-3](https://doi.org/10.1016/S2468-2667(20)30032-3)
- Statistics Canada (2022). Canada is the first country to provide census data on transgender and non-binary people. Statistics Canada. <https://www150.statcan.gc.ca/n1/daily-quotidien/220427/dq220427b-eng.htm>
- Tan, K. K. H., Watson, R. J., Byrne, J. L., & Veale, J. F. (2022). Barriers to Possessing Gender-Concordant Identity Documents are Associated with Transgender and Nonbinary People's Mental Health in Aotearoa/New Zealand. *LGBT health*, 9(6),401–410. <https://doi.org/10.1089/lgbt.2021.0240>
- The Canadian Press. (2010). James can legally change name to hide criminal past. CBC News. <https://www.cbc.ca/news/canada/james-can-legally-change-name-to-hide-criminal-past-1.916393>
- United Nations. (2024). The struggle of trans and gender-diverse persons. OHCHR. <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/struggle-trans-and-gender-diverse-persons>
- U.S. Department of State. (2024). Selecting your Gender Marker. <https://travel.state.gov/content/travel/en/passports/need-passport/selecting-your-gender-marker.html>
- Vancouver Police Department. (2024). Fingerprinting Services. Vancouver Police Department. <https://vpd.ca/contact-us/fingerprinting-services/>
- Wojnicka, K. (2020). Sex and the Fieldwork: Gender, Sexuality, Nationality, and Social Class in Research on European (Heterosexual) Men. *International Journal of Qualitative Methods*, 19, 160940692093896. <https://doi.org/10.1177/1609406920938964>

Appendix A.

Overview of name and gender change processes across Canadian provinces and territories

This table does not include every procedural detail but rather provides concise comparisons across Canadian provinces and territories. Information was obtained directly from the province or territories official government websites.

Province or Territory	Name Change Process	Notable Barriers	Gender Marker Amendment Process	Notable Barriers
British Columbia	<p>You must:</p> <ul style="list-style-type: none"> -Be 19 years or older -Be a resident of BC for at least three months immediately before applying. -Be changing your own name. -Have a valid, current piece of foundational ID (ex. BC birth certificate, Citizenship Card, PR Card) -Download, print, and complete the 6-page legal Change of Name application from the Vital Statistics BC website or fill out an online application. -Gather all required documentation (a BC marriage certificate, an original BC birth certificate showing your current full legal name, or a certified photocopy of your citizenship or PR card). -Obtain fingerprinting and criminal record checks from: Most RCMP detachments (Visit http://www.rcmp-grc.gc.ca/detach for detachment locations), local police departments, or any RCMP-accredited fingerprinting company or its affiliate who submit fingerprints electronically for the purpose of criminal record check. 	<ul style="list-style-type: none"> -Fingerprinting and Criminal Record Check. - \$137 payment for processing. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in BC. -Be 19 years or older -\$27 amendment of provincial record fee -\$27 for issuance of new birth certificate. -Download, print, and complete application form (VSA 509A). -Collect supporting documentation including current government-issued identification and all previously issued birth certificates. -Mail the completed application with supporting documentation to Vital Statistics or deliver it in person to Service BC with the \$27 amendment fee. 	

	<ul style="list-style-type: none"> -Fingerprinting and criminal record check fees may vary depending on the method. A receipt is provided for fees paid and the receipt must show a date. The date on the receipt must be within 30 days of the date the application is received by the Vital Statistics Agency. -Once all these steps are completed, and all documentation is gathered, everything must be mailed or submitted in person to a service BC or Vital Statistics Agency with the \$137 payment. -All new ID documents are to be organized and paid at the applicant's expense, including new birth certificates (\$27), citizenship or PR cards, driver's licence, bank cards etc. -Website currently cites processing time to be 15 weeks as of 03/03/2024. 			
<p>Yukon</p>	<p>You must:</p> <ul style="list-style-type: none"> -Be a resident of the Yukon to apply. -Be 19 years or older to apply. -Have lived in Yukon for 3 months. -Contact Yukon Vital Statistics for a change of name package. -Provide your current address as well as previous addresses that you have lived during the 3 months before your application. -Sign a statutory declaration on the application and provide a reason for why you are changing your name. -Pay the applicable fee of \$50 for the change of name and \$10 for a new birth certificate. -Once the name change is complete it will be published in the Yukon Gazette. 	<ul style="list-style-type: none"> -Change of name will be published in the Yukon Gazette per the Change of Name Act - "When a change of the legal name of a person has been registered under section 9, the registrar shall cause the prescribed notice of the change of name to be published in the Yukon Gazette." -Fee of \$50 for the change of name. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in the Yukon. -Be 16 years or older. -Fill out the change of sex registration of birth form. -Return any previously issued birth certificates. -Pay the applicable fee of \$10 for the change of gender and \$10 for the new birth certificate. 	

<p>Nunavut</p>	<p>You must:</p> <ul style="list-style-type: none"> -Be 19 years or older. -Have lived in Nunavut for over a year. -Fill out the application which is available through the Nunavut Courts website. -List your current occupation on the application. -Also state on the application whether you have any civil or criminal actions pending against you or if there are any mortgages, liens or other loans you have. -Provide consent of your spouse if you are in a common-law relationship or if they are married. -Provide a copy of your birth certificate and two certified photocopies of other IDs. -Provide the applicable filing fee of \$10. -Submit your application, supporting documents and applicable fees to the Nunavut Court of Justice. 	<ul style="list-style-type: none"> -Consent of spouse required. -Must have lived in Nunavut for over a year. -Must provide any criminal history as well as any mortgage or loans you have. -Must be done through the Court system. 	<p>You must:</p> <ul style="list-style-type: none"> -Be a person whose birth is registered in Nunavut to apply to the Registrar. General to change the sex designation on your registration of birth. -Pay the applicable fee of \$10 for a new birth certificate. 	<ul style="list-style-type: none"> -The application is not accessible online. -No clear guidelines available for the process.
<p>Northwest Territories</p>	<p>You must:</p> <ul style="list-style-type: none"> -Be 19 years or older. -Be a Canadian citizen, permanent resident or otherwise legally entitled to remain or live in Canada. -Be a resident of the Northwest Territories and have lived in the Northwest Territories for at least three months in a row within the one year before the application date. -Fill out the application for adult change of name available on their website. -Provide a reason for the change of name on the application. -Have your signature witnessed on the application by a notary or commissioner. -Submit your application with the applicable fee of \$134, and \$22 for a new birth certificate. 	<ul style="list-style-type: none"> -Providing a reason for changing your name on your application. -The fee of \$134 for the name change. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in the Northwest Territories. -You must be 19 years or older. -Fill out the adult change of sex designation form. -Return all previously issued birth certificates. -Complete a new application for a birth certificate or marriage certificate. -Include payment for the change to your birth registration (\$33) and a new NWT birth certificate (\$22). 	<ul style="list-style-type: none"> -Fee of \$33 for change of gender.

<p>Alberta</p>	<p>You must:</p> <ul style="list-style-type: none"> -Be an Alberta resident. -Be at least 18 years old. -Provide an acceptable ID. -Not be a dangerous offender, a designated long-term offender, listed on the Alberta high-risk offender registry, or have ever been convicted of an offence under section 490.011(1)(a), (c), (c.1), (d), (d.1) and (e) of the Criminal Code of Canada and are a designated sex offender. -Fill out the adult change of name application form which is available online. -If you are providing a Certified Criminal Record Check, an Electronic Fingerprint Report is not required. - If you are providing an Un-Certified Criminal Record Check or Police Information Check (PIC), an Electronic Fingerprint Report is still required. -Return all previously issued birth certificates. -Pay the applicable \$120 fee for the change of name and \$20 for a new birth certificate. -Submit application with all supporting documents to a registry agent office. 	<ul style="list-style-type: none"> -Extensive administrative complexity of the application process. -\$120 application fee. -Cannot change your name if you have any criminal history. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in Alberta. -Be 18 years or older. -Fill out the request to amend a Vital Statistics record form. -Fill out the Affidavit: Sex Amendment for an Adult form. -Have this form witnessed by a notary or commissioner for oaths. -Return all previously issued birth certificates. -Pay the \$20 fee for the gender designation change and \$20 for a new birth certificate. 	<ul style="list-style-type: none"> -Multiple forms required. -\$20 processing fee.
<p>Saskatchewan</p>	<p>You must:</p> <ul style="list-style-type: none"> -Have lived in Saskatchewan for at least 3 months before applying. -Have proof of residency in Saskatchewan with a current Saskatchewan Health Care card. -Be over 18. -Email Saskatchewan Vital Statistics to request that an application be mailed to you. -Complete the Adult change of name application and have the statutory declaration portion witnessed by a notary or commissioner. -Obtain a criminal record check from 	<ul style="list-style-type: none"> -Lack of accessibility- The name change application is not available online and must be requested via email or phone. -Name change will be published publicly in the Saskatchewan Gazette- "Please note, by law, legal changes of name are published in the Saskatchewan Gazette—a weekly government publication available by subscription or online." - Fee of \$125 for the change of name. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in Saskatchewan. -Be over 18. -Fill out the application for change of sex designation on birth record and health card. -Must provide supporting statements/signatures from a registered healthcare professional on the application. -Pay an applicable fee of \$20 for the change of gender and 35 dollars for a new birth certificate. 	<ul style="list-style-type: none"> -Supporting statement from a registered healthcare professional. -Fee of \$20 for the change of gender.

	<ul style="list-style-type: none"> -Pay the applicable fees of \$125 for a change of name application and \$35 for a new birth certificate. - Name change will be published in the Saskatchewan Gazette upon completion. 			
Manitoba	<p>You must:</p> <ul style="list-style-type: none"> -Have lived in Manitoba for at least 3 months before applying. -Be over 18. -Fill out the Manitoba Adult Change of Name application. -Provide a confirmed/notarized copy of your government-issued ID. -Submit proof of residency document. -Provide all previously issued Marriage certificates, birth certificates or change of name certificates. -Obtain fingerprinting from an accredited agency and consent to the third-party waiver in Livescan. -Sign Affidavit with witness. -Pay the applicable fee of \$120.07 which includes the \$20.07 Manitoba Gazette fee as well as \$30 for a new birth certificate. 	<ul style="list-style-type: none"> -Publishing name change in the Manitoba Gazette as listed in their application "I understand that a Legal Change of Name is public information and is published in the Manitoba Gazette. It may be shared with other governments, government departments and agencies or law enforcement agencies. -Fees of \$120.07 for the change and \$30 for a new birth certificate. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in Manitoba. -Fill out the application for change of sex designation. -Provide acceptable proof of identity (passport, provincial identity card or driver's licence). -Sign a statutory declaration before a witness and submit that. -Provide a supporting letter from a registered healthcare professional supporting your gender change. -Provide all previously issued birth and/or marriage certificates. -Pay applicable fees of \$30 for a change of gender and \$30 for a new birth certificate. 	<ul style="list-style-type: none"> -Supporting letter from health care professional. -Fee of \$30 for gender change.
Ontario	<p>You must:</p> <ul style="list-style-type: none"> -Be over 18 years of age and have lived in Ontario for at least 12 months. -Must have a valid ID with current legal name. -Obtain Police record check. - Fill out an adult change of name application. -Pay the applicable fee of \$137 dollars, plus \$25 dollars for a new birth certificate. -Return all previously issued birth and/or marriage certificates issued. 	<ul style="list-style-type: none"> -Police record check (criminal background check). -Applicable fees. 	<p>You must:</p> <ul style="list-style-type: none"> -be born in Ontario. -Have a valid ID with a current legal name. -Fill out an application for a change of sex designation. -Complete Statutory Declaration for change of sex designation on a birth record. -Include a letter signed by a practicing physician or psychologist (including a psychological associate) authorized to practice in Canada, that includes the statements necessary to support your request. -Pay applicable fees of 0\$ for the change and \$25 for the new birth certificate. 	<ul style="list-style-type: none"> -Letter signed by a physician supporting your request to change your gender.

<p>Québec</p>	<p>You must:</p> <ul style="list-style-type: none"> -Be 18 years of age or over and domiciled in Québec for at least one year before applying. -First apply for preliminary analysis to verify your eligibility. -Once approved, you will be sent the formal change of name application by mail. -In accordance with the Civil Code of Québec and barring exemption, persons who apply for a change of name to the Directeur de l'état civil must mandatorily give public notice of their intention to change their name and that of their children, if applicable. -Pay the applicable fee of \$152 for the change of name and \$35.75 for a new birth certificate. 	<ul style="list-style-type: none"> -Lack of accessibility /multiple barriers to applying. -No application online. -Mandatory public notification of their intent to change their name. -Fee of \$152 for the change of name. 	<p>You must:</p> <ul style="list-style-type: none"> -have lived in Québec for at least a year. -Be 18 years or older. -Fill out the application for an adult change of gender designation form. -On the application, you must solemnly declare and provide your reasoning for the change and have this witnessed by an authorized person. -Provide a photocopy of a valid photo ID. -Include a legible photocopy of two proofs of home address, one dated at the most one month and the other at least 12 months from the date on which you file your application. -Get someone you know to fill out the 'Affidavit of a Person Who Knows the Applicant'. -The first application for sex designation change is free in Quebec. 	<ul style="list-style-type: none"> -Extensive application that requires an affidavit from a person who knows you.
<p>New Brunswick</p>	<p>You must:</p> <ul style="list-style-type: none"> -Be a resident of New Brunswick for at least 3 months. -Fill out the Adult Change of Name application available online. -Provide any previously issued birth certificates if born there or certified photocopy of your citizenship or PR card. -Provide a criminal record check and list any convictions on your application. -Provide an explanation of the name change on your application. -Provide a declaration of sponsor on your application. -Have your application signed and witnessed by a notary or commissioner. -Pay the legislated fee of \$120 for processing and \$45 for a new birth certificate. 	<ul style="list-style-type: none"> -You need a sponsor (a person who is not family and who has known you for over two years) to sign your application in support. -The \$120 processing fee. -Criminal record check requirement. -Publication of your name change in the New Brunswick Royal Gazette. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born or reside in New Brunswick. -You must be 16 years or older. -Complete the adult change of sex designation form available online. -Provide a written statement for a registered healthcare professional in support of your change of gender. -Return all previously issued birth certificates. -There is no fee for processing this application or for a new birth certificate. 	<ul style="list-style-type: none"> -The requirement of a written statement from a healthcare professional.

	<p>-Once complete your name will be published in the New Brunswick Royal Gazette - "Vital Statistics is legally required to publish all registered name changes in the New Brunswick Royal Gazette, per section 10(2) of the Change of Name Act, if an applicant is 18 years of age or older."</p>			
Newfoundland and Labrador	<p>You must: -Be 16 years or older. -You must complete the application for Adult change of name available online. -Complete a criminal record check. -Provide proof of birth via Canadian birth certificate, citizenship card or PR Card. -Have your application signed and witnessed by a notary or commissioner for taking oaths. -Submit this application, supporting documents and a fee of \$100 for processing and \$35 for a new birth certificate. -Once your name change is complete, it will be published in the Newfoundland and Labrador Gazette.</p>	<p>-Criminal record check and associated costs are required. -Fee of \$120 for processing. -Mandatory publication of name change in Newfoundland and Labrador Gazette.</p>	<p>You must: -Be 16 years or older. -You must have been born in Newfoundland and Labrador or have been a resident for over 3 months. -Fill out the adult change of sex designation form. -Include a valid, current form of government-issued photo ID. -Provide a written statement from the applicant confirming the applicant has assumed, identifies with and intends to maintain the gender identity that corresponds with the change requested. -There is no fee for processing the change of gender designation, but you must pay \$30 for a new birth certificate.</p>	
Prince Edward Island	<p>You must: -Be 18 or older. -You must have lived in PEI for at least 3 months before applying. -Fill out the Adult Change of name application form available online. -Solemnly declare your application and have it witnessed by a notary or commissioner for taking oaths. -Provide proof of PEI residency. -You must return all previously issued birth certificates, marriage certificates or change of name certificates.</p>	<p>-Fee of \$185 for processing the change of name.</p>	<p>You must: -Be born in PEI or have resided in PEI for at least 3 months before applying. -Be 18 years or older. -Complete the adult change of gender designation form. -Include a written statement from the applicant confirming the applicant has assumed, identifies with and intends to maintain the gender identity that corresponds with the change requested.</p>	<p>-The requirement of a statement from a medical practitioner supporting your gender change. -The processing fee of \$25.</p>

	<ul style="list-style-type: none"> -Pay the legislated \$185 processing fee and \$25 for a new birth certificate. 		<ul style="list-style-type: none"> -Include a completed statement from a Medical Practitioner that confirms that the applicant's sex designation request is consistent with the sex designation with which the applicant identifies. -Include a copy of the applicant's government-issued photo ID, and a copy of the applicant's provincial health card. -Return all previously issued birth certificates. -Pay the processing fee of \$25 and the \$25 fee for a new birth certificate. 	
Nova Scotia	<p>You must:</p> <ul style="list-style-type: none"> -Be 16 years or older. -Have been born in Nova Scotia or have lived there for at least 3 months prior to applying. -Contact Nova Scotia Vital Statistics to obtain the application form. -Fill out the application form and provide proof of residence on your ID. -If you are 12 or older you are required to get your fingerprinting completed at an approved agency. -The agency submits the fingerprints to the RCMP's Canadian Criminal Real Time Information System. If you're 19 or older, the Canadian Criminal Real Time Information System notifies Vital Statistics that it received the fingerprints. -Have your signature witnessed on your application by a notary or commissioner. -Return all previously issued birth certificates. -Send your completed application, supporting documents and payment of \$165.70 for processing and \$33 for a new birth certificate. 	<ul style="list-style-type: none"> -Requirement to complete fingerprinting and associated costs. -Fee of \$165.70 for processing. 	<p>You must:</p> <ul style="list-style-type: none"> -Be born in Nova Scotia or have resided in Nova Scotia for at least 3 months before applying. - Be 16 years or older. -Complete the application for change of sex indicator. -If you were born outside of Nova Scotia but within Canada, you must submit an original Birth Certificate from the province of birth, along with proof of residency. -If you were born outside of Canada you will need to submit immigration documents, along with proof of residency. -Complete a Statutory Declaration from the applicant that states the applicant identifies with the gender identity that corresponds with the change requested. -There is no processing fee for this change and no fee for one replacement birth certificate. 	

Appendix B.

Code descriptions

Top-Level Codes	Code Description	Subcodes	Code Description
Perceived Criminalization	refers to the perception or experience of being treated as if being transgender is associated with criminal behaviour or being treated as inherently suspicious or untrustworthy solely based on one's gender identity.	Fingerprinting	refers to any mention or requirement of undergoing fingerprinting as part of the process to complete a name change, particularly for transgender, non-binary or gender-diverse individuals. This code encompasses instances where fingerprinting is described or experienced negatively, often characterized as an arduous and high-barrier step in the name change process.
		Violation of human rights	refers to any mention or observation of actions, policies, or practices that infringe upon the fundamental rights and dignity of participants' identities.
		Police/RCMP involvement	refers to any reference or experience involving the participation (criminal record check or fingerprinting) or intervention of law enforcement agencies, specifically the police or the Royal Canadian Mounted Police (RCMP), in matters related to individuals seeking to change their name or gender marker.
Financial Cost	refers to any reference or consideration of the monetary expenses associated with the process of changing one's name or gender marker, particularly for transgender individuals.	Hidden fees	refers to any undisclosed or unexpected expenses associated with the process of changing one's name or gender marker such as obtaining secondary ID documents and fingerprinting fees.

		Income precarity	refers to the financial insecurity or instability experienced by individuals as they navigate the process of changing their name or gender marker. This could manifest in financial strain resulting from the costs associated with changing legal documents, such as identification cards, passports, and other records, particularly for individuals with limited financial resources.
Lack of Familial/Community Support	refers to the absence or insufficient presence of support from family members or the broader community during the process of changing one's name or gender marker. This could be rejection or lack of acceptance from family members, resulting in emotional or practical barriers to accessing support during the name change process. This could also be social stigma or discrimination within the broader community, leading to a lack of understanding or solidarity with individuals seeking to affirm their gender identity through name changes.	Absence of emotional support	refers to the lack of understanding, empathy, or encouragement from family members or the broader community during this significant transition. This could manifest as family members refusing to acknowledge or accept an individual's gender identity, resulting in feelings of rejection and emotional distress or friends or community members distancing themselves from an individual undergoing a name change due to discomfort or lack of understanding about transgender issues.
		Knowledge of parental information	refers to situations where individuals face barriers in accessing important parental information or connections necessary for the name change process. Individuals who are estranged from their parents or have limited contact with them, resulting in a lack of access to necessary parental information such as birth certificates or other legal documents required for the name change process. Transgender, non-binary or gender-diverse individuals who may have been disowned or rejected by their parents due to their gender identity, resulting in severed familial connections and barriers in accessing parental information or support during the name change process.

Processing Times	refers to the duration or length of time it takes for the administrative or legal processes related to changing one's name or gender marker to be completed. This can be about administrative backlogs or inefficiencies within government agencies responsible for processing name change requests, resulting in extended processing times.	Housing or employment limitations	refers to the lengthy processing times for name and gender changes that can delay the updating of legal documents such as identification cards and driver's licenses to reflect an individual's correct name and gender marker. This delay can create obstacles when applying for housing leases or mortgages, as landlords or property owners may require up-to-date identification documents.
		Immigration issues	refers to the challenges or barriers faced by transgender individuals in navigating immigration-related processes and procedures, particularly about lengthy processing times for changing their name or gender marker. Transgender, non-binary or gender-diverse individuals who are immigrants or seeking to immigrate may encounter delays in their visa or residency applications due to lengthy processing times for name changes.
Administrative Complexity	refers to the intricate and convoluted nature of administrative procedures and requirements involved in changing one's name or gender marker. Individuals seeking to change their name or gender marker may encounter complex and specific documentation requirements set forth by the government. These requirements may include obtaining multiple supporting documents, each with its own set of criteria and procedures. This may also refer to bureaucratic hurdles within the government agencies responsible for processing name change requests.	Access a lawyer, notary or doctor	refers to individuals in BC navigating the legal gender affirmation process often requiring professional assistance from lawyers, notaries, or doctors to complete various administrative tasks, such as filing name change applications, drafting legal documents, obtaining medical letters or certifications, and navigating healthcare services related to gender transition.
		Specific document requirement	refers to the detailed and specific documentation needed to fulfill administrative procedures for changing one's name or gender marker. Individuals may need to provide various identification documents, such as birth certificates, driver's licenses, passports, or other government-issued IDs, as part of the name change process.
		Surrendering document requirement	refers to a specific administrative hurdle within the process of legal gender affirmation that necessitates the surrendering or relinquishing of certain official documents as part of the name or gender marker change process.

		<p>Language barrier</p>	<p>refers to the barriers faced by transgender individuals due to difficulties in understanding or communicating in the language(s) used in administrative procedures for changing their name or gender marker. Individuals who use English as a second language may limit their access to information about the name change process, including eligibility criteria, required documentation, and procedural steps.</p>
		<p>Staffing issues</p>	<p>refers to challenges arising from issues related to government personnel involved in processing name change or gender marker change requests. Government personnel responsible for processing name change or gender marker change requests may lack adequate training or knowledge about transgender issues and legal requirements.</p>
		<p>Forms are confusing</p>	<p>refers to the barriers encountered by transgender, non-binary, and gender-diverse individuals when navigating the various forms and paperwork required for the legal gender affirmation process in BC. These forms may include applications, affidavits, declarations, or other official documents necessary to initiate and complete the name and gender change process.</p>
		<p>Neurodivergent</p>	<p>refers to the experiences of participants who identify as neurodivergent, meaning their neurological functioning and cognitive processes differ from the societal norms considered typical or neurotypical. Neurodivergent individuals may face unique challenges when navigating administrative procedures due to differences in processing information, organization, communication, and executive functioning.</p>

Appendix C.

Interview question guide 1.

1. How long have you lived in BC?
2. What city/town have you lived in and currently live in?
3. Do you like it here compared to other places you have lived?
4. Is there a sense of acceptance here for your identity?
5. Could you provide some insights into the characteristics and dynamics of your community here?
6. Have you gone through the process of changing your gender marker or name on your identification documents?
7. How long did the process take you to complete?
8. Could you provide an account of your experience throughout this process?
9. Were there any notable challenges or constraints you encountered during this process?
10. If given the opportunity, what aspects of the process would consider modifying?
11. In your opinion, what forms of support could enhance the experience of individuals navigating this process?
12. Looking back, is there any information or advice you wish you had known prior to embarking on this process?

Appendix D.

Interview question guide 2. (for volunteers and employees assisting people through legal gender affirmation)

1. What organization do you work for?
2. How long have you worked there?
3. Do you enjoy the work that you do?
4. In your role assisting individuals with name and gender marker changes on their ID documents, could you describe the typical experience?
5. In your experience, what are the common barriers that individuals frequently encounter when engaging with this process?
6. On average, what is the typical duration of this process from initiation to completion?
7. What aspects of the process do you believe can be improved or refined?
8. Where do you perceive areas of potential improvement or support from the government?
9. In your opinion, how can individuals be better supported or empowered throughout the gender marker change process?

Appendix E.

Recruitment poster

SFU SIMON FRASER UNIVERSITY

EVERYONE NEEDS ID

Are you a transgender, non-binary, or gender-diverse individual in British Columbia? Your voice matters!

What is your experience with obtaining ID?

Navigating the current legal gender affirmation process in British Columbia can be quite demanding. Complex procedures, paperwork, and associated costs can result in confusion, stress, and delays in obtaining vital identity documents, such as birth certificates. These challenges have a notable impact on the social, health, and economic well-being of gender-diverse individuals. Our study employs qualitative research methods to delve into the experiences of legal gender affirmation. Through interviews and input from experts, we strive to pinpoint areas where improvements can be made and suggest policy changes. Your participation in this endeavor is crucial in working towards a more inclusive and accessible future.

Eligibility Criteria:

- Must be 19 or older.
- Must identify as trans, non-binary, or gender diverse.
- Must have considered changing gender or name or have gone through the process.
- Must have lived in BC for at least 3 months (qualifier for completing this process).
- Must have one hour to spare for an interview.

EVERYONE NEEDS ID