

# One more hurdle for transgender youth

Changing sex on ID shouldn't have to wait until adulthood to proceed, say **Robert Leckey** and **Kimberley Manning**.

During Quebec City's Pride celebrations this past weekend, the province's justice minister announced that it will soon be easier for transgender people to change their name or gender status on official documents. But even after this change, Quebec law will continue to impose discriminatory effects on trans people. This latest change is a significant step forward, but the road remains long — especially for young trans people.

The announced change eliminates the need for undergoing medical treatment or surgery to obtain a change of sex. It will be enough to satisfy other, less invasive criteria. The only requirement will be sworn statements by the individual and by another person who has known them for at least one year and who can attest that the applicant is serious about the request.

The change recognizes the discriminatory, indeed violent character of requiring

of changing a designation of sex prolongs and exacerbates these difficulties.

A young person whose gender identity and outward appearance don't match the legal sex encounters problems in many settings. The classroom and education system more broadly are one. The medical system is another. Crossing the border during international travel, even when just nipping into the United States, is a third. Anytime anyone verifies official ID, the young person faces scrutiny and must reveal private details.

It's understandable that the government is concerned with ensuring that its procedures for managing the register of civil status are workable. But the current constraints fail to strike an appropriate balance between stability and respect for individual rights.

There's no basis for thinking that an alternative regime would open the floodgates to abuses. People, of any age, wouldn't seek a change of sex designation lightly. The young people who would take advantage of a reformed system have lived a gender identity different from their legally

assigned sex for years, often with their parents' support. To do so, they've risked discrimination and physical violence. Their need for certainty and recognition isn't a whim.

A coalition of organizations for trans people's rights is suing the provincial government to challenge this discriminatory rule, among others. We believe that our arguments are compelling. Still, winning the case will be long and expensive. We would prefer the government to respond meaningfully to the submissions already made by the trans children and youth affected daily by these rules, rather than forcing us to sue it in a costly procedure.

Quebec rightly pats itself on the back for being, in general, an open society that respects the liberty, autonomy and dignity of people within its boundaries. It was a pioneer in a number of ways regarding the rights of gay men and lesbians. On the trans front, however, we have catching up to do. The time is now.

*Robert Leckey is the president of Egalité Canada and chair of its Legal Issues Committee. Kimberley Manning is on the board of Gender Creative Kids Canada.*