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Gender Markers – Whose Life is it Anyway?

In what we believe is a world first, Kori Doty's child has received a health card with a 'U' (presumably for unspecified, or unknown').

Doty is the Applicant in a judicial review of the decision by the Vital Statistics Agency to refuse a birth certificate for their child. Searyl was born in BC, but outside of the medical system, so there was no medical 'genital inspection' when the child was born

The denial of a birth certificate initially also meant that Doty, themselves a non-binary trans parent, could not get a medical number for their child. But MSP relented. One day without explanation Searyl's PHN arrived in the mail, gender "U".

Doty argues in the upcoming judicial review that requiring a gender marker on a birth certificate amounts to a violation of Searyl's rights as a Canadian citizen to life, liberty and security of the person, to freedom of expression, and to equality under the Charter of Rights and Freedoms. Gender expression has been a protected ground in BC's Human Rights Code for a year; and has just been added as a ground to the Canadian Human Rights Act.

Says Doty, "I do not gender my child. It is up to Searyl to decide how they identify, when they are old enough to develop their own gender identity. I am not going to foreclose their choices based on an arbitrary assignment of gender at birth based on an inspection of their genitals."

The Gender Free I.D. Coalition is supporting Doty in this case, as well as a companion human rights case. Both cases seek to halt the practice of putting 'gender' on birth certificates.

A similar case against all gendered documents in the Province of Saskatchewan is being heard in QB on July 7 in Regina.

For more information:

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