

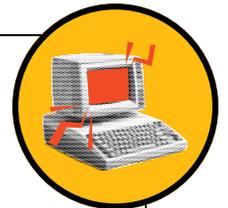
Name Change Ban MLA Toolkit



Arranging a meeting with your MLA

1. Find your MLA and their contact information on the [BC Legislature website](#).
2. Contact your MLA's constituency office to book an appointment. Appointments can be in person, by phone, or by video call.
3. Make sure you are requesting a meeting directly with your MLA, not a staff member in their office. Meetings usually take about 30 minutes.

Email template for booking MLA meeting



Dear (MLA's name),

I would like to arrange an urgent meeting with you to discuss the recent amendments to the Name Act (Bill 26, the Name Amendment Act (No 2) 2024). This is a critical issue that affects vulnerable constituents across our province, including many in our riding. I am a constituent and live in (insert your neighbourhood).

Changes to the Name Act have imposed a total ban on legal name changes for people with certain criminal records, while making the name change process more difficult and more costly for everybody. Transgender people, survivors of violence, youth, sex workers, and Indigenous people should be able to access legal name changes without delay and additional cost.

I am writing to join gender justice groups from across the province who have called on the BC Government to repeal the name change ban. The changes were not necessary to protect the public and actively harm those most in need of legal name changes.

(Add a sentence or two about why the name change ban matters to you personally, or how it affects a group you care about in your community.)

I know you have a busy schedule, so please let me know a few dates and times that work for you in the coming weeks. I look forward to hearing from you and discussing how we can work toward the repeal of this harmful legislation.

Thank you,

(your full name will go here)

(your email will go here)

(your post code/neighborhood)



Talking points

Why you're there

I'm here today because I'm deeply concerned about recent changes to the Name Act and their impacts on marginalized British Columbians.

The new legislation bans legal name changes for some people and has created huge barriers and delays for everybody who needs a legal name change. It's hurting transgender people, Indigenous people reclaiming their names, sex workers, and survivors of violence.

What Bill 26 does

Bill 26 has added new restrictions to the Name Act. It outright bans legal name changes for:

1. People convicted of certain offences
2. People found not-criminally responsible for certain crimes
3. People designated as dangerous or long-term offenders

It also requires:

1. A new criminal record check for all applicants over 12 years old
2. Mandatory records sharing between the Vital Statistic Agency and the RCMP

Applicants now face increased costs, a 4-month or more delay in processing applications, and for many, the inability to change their name at all.

Who this harms

Changes to the Name Act were not necessary to protect the public because the previous legislation already contained safeguards against fraud and abuse.

These changes harm those most in need of legal name changes, including already marginalized and over-policed communities.

Two-Spirit, Nonbinary, and Transgender people

- The changes violate the human rights of trans people to use a gender affirming legal name.
- The Name Act allows the government to deadname some trans people- and encourages others to do so- by depriving them of the identity documents they need to prove who they are.

Indigenous people

- The changes violate the rights of all Indigenous people to legally reclaim an Indigenous name, in line with Indigenous laws, UNDRIP, and the Truth and Reconciliation Commission's calls to action.
- Under the Name Act changes, Indigenous people must undergo lengthy waiting periods, pay for criminal background checks, and face a refusal of their application where they have certain criminal records.
- Due to ongoing colonialism, Indigenous people are over-policed and over-represented in criminal proceedings, and many are now prevented from reclaiming their names.



Talking points continued...

Survivors of gender-based violence

- The changes undermine the safety of survivors of family violence, including youth, who change their names to escape ongoing violence, harassment, or stalking.
- Marginalized survivors (Black and Indigenous, people of color, 2SLGBTQ+ and migrant) are often charged with offences when they report gender-based violence, even though they are the surviving party.
- Removing their children from dangerous situations, or fighting back against an abuser, can result in a criminal record. These kinds of charges are listed in the changes to the Name Act and prevent survivors from changing their names.

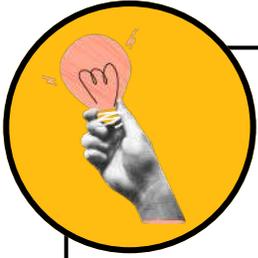
Sex workers and other Criminalized People

- Sex workers are criminalized under several provisions in s 286.1 of the Criminal Code.
- These offences are listed in the Name Act regulations, and people convicted of them cannot change their names.
- Stopping sex workers or people with sex work histories from changing their name does nothing to increase “public safety.”

Children and youth

- The changes to the Name Act affect children as young as 12, and undermine legally protected privacy protections of young people.
- The lack of proper identity documents adds to existing inequalities faced by youth with criminal records who are queer and trans, Indigenous, or fleeing violence.





Responses to common questions or comments

Aren't these changes just about protecting the public from murderers and violent criminals?

- The prior Name Act already included procedural safeguards and protective measures. For example, it required fingerprints from all adult applicants, the Registrar of Vital Statistics could decline to grant a name change if it was sought for an improper purpose, and the Registrar could cancel name changes obtained by fraud.
- There is a long list of criminal offenses that now prevent legal name changes, including non-violent offenses like trespassing, breaking and entering, and sex-work related offenses.
- This is a blanket ban that applies to people regardless of their individual circumstances- there are no exceptions or exemptions on human rights and/or Indigenous rights grounds.

These changes are needed to protect women from serial abusers.

- The name change ban - in the name of "public safety"- disproportionately harms the equality and dignity of trans people and Indigenous people, communities that are already dealing with high levels of marginalization, systemic discrimination, and overcriminalization.
- Meanwhile, the BC government has a long track record of failing to implement expert, evidence-based recommendations about combatting gender-based violence.
- Rather than score easy political points, the government should implement the recommendations of the recently released Stanton Report on improving the legal system's treatment of intimate partner violence and sexual violence.

For more information and resources on the Name Act changes see westcoastleaf.org/name-act