



THE CANADIAN  
BAR ASSOCIATION  
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BARREAU CANADIEN

March 12, 2021

Via email: [statcan.csdslgbtq2-cnsd-lgbtq2.statcan@canada.ca](mailto:statcan.csdslgbtq2-cnsd-lgbtq2.statcan@canada.ca), [tina.chui@canada.ca](mailto:tina.chui@canada.ca),  
[cory.chobanik@canada.ca](mailto:cory.chobanik@canada.ca), [laurent.martel@canada.ca](mailto:laurent.martel@canada.ca)

Tina WL Chui, Ph.D. Director, Diversity and Sociocultural Statistics  
Cory Chobanik, Director, Centre for Statistical and Data Standards  
Laurent Martel, Director, Centre for Demography  
Statistics Canada  
100 Tunney's Pasture Driveway  
Ottawa, ON K1A 0T6

Dear Tina Chui, Cory Chobanik and Laurent Martel:

**Re: Consultation on Gender and Sexual Diversity Statistical Metadata Standards**

I write on behalf of the Sexual Orientation and Gender Identity Community Section (SOGIC) of the Canadian Bar Association (CBA) to respond to your public consultation on proposed standards for gender and sexual diversity statistical metadata, dated January 29, 2021.<sup>1</sup>

The CBA is a national association of 36,000 members, including lawyers, notaries, academics and law students, with a mandate to seek improvements in the law and the administration of justice. SOGIC addresses the concerns of LGBT2Q+ members in the CBA and provides a forum for the exchange of information, ideas and action on legal issues relating to sexual orientation and gender identity.

SOGIC has reviewed the proposed changes to gender and sexual diversity statistical metadata standards. Our general view is that Statistics Canada has proposed changes that are a meaningful improvement in terms of capturing the diversity of the LGBT2Q+ community.

The proposed changes engage with new ways of understanding sex, gender identity, gender expression, sexual orientation, sexual attraction, and other markers of LGBT2Q+ status in an understanding, sensitive and nuanced way. We welcome the choice to include the term “queer”, with its complexities and different meanings. We also appreciate the way sexual orientation is proposed to be broken out into identity and attraction, which are independent variables that are not always treated that way.

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<sup>1</sup> Consultation on gender and sexual diversity statistical metadata standards, [online](#).

We offer one suggested amendment. Under “Classification of sexual orientation – sexual identity”, the category of “Asexual” (Code 2.3.2) acknowledges that the asexual (also known as “ace”) community “includes persons who have little or no interest in sex” (emphasis added). We believe this categorization is correctly expansive and allows for a more nuanced understanding of asexuality. However, the underlined qualifying language does not track to the corresponding categories at Code 5 under “Classification of sexual orientation – sexual attraction” and Code 6 under “Classification of sexual orientation – sexual attraction, variant.” Our recommendation is to amend the latter two categories to be more expansive. We suggest revising the text of both categories to “[p]erson who experiences little or no sexual attraction”, and both definitions to “[t]his category includes persons who experience little or no sexual attraction.”

Statistics Canada has clearly put much thought and consideration into these proposed updated and new standards for gender and sexual diversity statistical metadata. On behalf of SOGIC, I thank you.

Yours truly,

*(original letter signed by Nadia Sayed for Frances Mahon)*

Frances Mahon  
Chair, Sexual Orientation and Gender Identity Community Section