



Registered Nurses' Association of Ontario
L'Association des infirmières et infirmiers
autorisés de l'Ontario

Hon. Navdeep Singh Bains
Minister of Innovation, Science and Economic Development Canada
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August 8, 2016

RE: Improve the 2021 census by including gender identity and sexual orientation

Dear Minister Bains,

The Registered Nurses' Association of Ontario (RNAO) counts itself among many health and human service organizations; academic and community-based researchers; labour, business, civil society groups; and various levels of government that were delighted with the reinstatement of the mandatory long-form census. As the professional association representing registered nurses (RN), nurse practitioners (NP) and nursing students in Ontario, RNAO had been advocating for the restoration of the long-form census since 2010.^{1 2}

As we congratulate the federal government for enabling public policy to be informed by evidence, we would like to urge Statistics Canada to further improve the 2021 census by including questions related to gender identity and sexual orientation.

The Ontario Human Rights Commission describes people who are gender non-conforming or transgender as "one of the most disadvantaged groups in society."³ Pervasive discrimination against trans people puts them at risk for violence, suicide, poverty, underemployment, social exclusion, and difficulty accessing health care, education, employment, and public spaces.^{4 5 6} The logic of including gender identity in national surveys is increasingly being considered in other jurisdictions such as the United Kingdom^{7 8} and the United States.^{9 10} The 2016 census in Canada left non-binary gender respondents with their only option as leaving the question blank and providing feedback in the comments section.¹¹ Instead of being a collective experience bringing Canadians together in a common task, trans, intersex, and non-binary people end up feeling alienated and hurt by the experience of filling in a census that leaves them invisible.¹²

RNAO was enthusiastic when the province of Ontario passed *Toby's Act* in 2012 with all-party support to amend the Ontario Human Rights Code to include gender identity and gender expression as protected grounds.^{13 14} RNAO hopes for the speedy passage of similar pan-Canada legislation through Bill C-16, *An Act to Amend the Canadian Human Rights Act and Criminal Code*, introduced on May 17, 2016.¹⁵ To support this

critical human rights legislation, it is imperative that Statistics Canada include gender identity among its census questions. In fact, it will be impossible for Statistics Canada to meet its objective of providing "statistical information and analysis about Canada's economic and social structure to: develop and evaluate public policies and programs; improve public and private decision-making for the benefit of all Canadians"¹⁶ if there are only two binary choices of male and female as genders.

The same argument holds true for sexual orientation. Statistics Canada indicates the long form census complements data collected by the short-form questionnaire and is "designed to provide information about people in Canada based on their demographic, social and economic characteristics."¹⁷ It is impossible to understand the diversity of Canada's population without asking specifically about sexual orientation. Planning for health and social programs will be enhanced with essential demographic and social information that includes sexual orientation. In the rationale given for the short-form questions, basic population information is "used by communities to plan a variety of services such as daycare centres, schools, police, fire protection and residences for senior citizens."¹⁸ Asking about marital status and how household members are in relation to each other will not necessarily elicit information about sexual orientation. The evidence is clear that homophobia, biphobia, and transphobia continue to be major barriers in accessing programs and services, including health care,^{19 20 21 22} education,^{23 24} and services for seniors, including housing.^{25 26 27 28} The consequences of being inattentive to sexual orientation and gender identity include negative impacts on the health and well-being of individuals as well as a less robust democracy as the capacity to claim all aspects of citizenship is thwarted.

RNAO has a proud history of advocating for health and human rights, including the health and wellness of lesbian, gay, bisexual, transgender, transsexual, two-spirit, intersex, queer and questioning people.²⁹ RNAO, including our Rainbow Nursing Interest Group,³⁰ would be delighted to provide additional information on this important issue.

Let's ensure we don't further marginalizing people. Instead, let's improve the 2021 census to better reflect Canada's rich diversity by including questions on gender identity and sexual orientation. We look forward to your response.

Warm regards,

A handwritten signature in black ink that reads "Doris Grinspun". The signature is written in a cursive style with a long horizontal flourish underneath.

Doris Grinspun, RN, MSN, PhD, LLD(hon), O.ONT
Chief Executive Officer, RNAO

Copy: Right Honourable Justin Trudeau, Prime Minister of Canada
Honourable Kathleen Wynne, Premier of Ontario
Wayne Smith, Chief Statistician of Canada

References

- ¹ Registered Nurses' Association of Ontario (2010). Open Letter to Prime Minister Harper: Maintain the Long-Form Census. Toronto: Author.
http://rnao.ca/sites/rnao-ca/files/RNAO_Letter_to_Harper_Census_Concerns_July_20_2010.pdf
- ² Registered Nurses' Association of Ontario (2015). Letter to Minister Moore: Support for Bill C-626, Reinstating the Long-Form Census. Toronto: Author.
http://rnao.ca/sites/rnao-ca/files/RNAO_Letter_of_Support_Bill_C626.pdf
- ³ Ontario Human Rights Commission (2014). Policy on Preventing Discrimination Because of Gender Identity and Gender Expression. Toronto: Author, 3.
<http://www.ohrc.on.ca/sites/default/files/Policy%20on%20preventing%20discrimination%20because%20of%20gender%20identity%20and%20gender%20expression.pdf>
- ⁴ Bauer, G., Scheim, A. for the Trans PULSE Project Team (2015). Transgender People in Ontario, Canada: Statistics to Inform Human Rights Policy. London: Author.
<http://transpulseproject.ca/wp-content/uploads/2015/06/Trans-PULSE-Statistics-Relevant-for-Human-Rights-Policy-June-2015.pdf>
- ⁵ Grant, J., Mottet, L, Tanis, J. et al. (2011). Injustice at Every Turn: A Report of the National Transgender Discrimination Survey. Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force. http://www.transequality.org/sites/default/files/docs/resources/NTDS_Report.pdf
- ⁶ Veale, J., Saewyc, E., Frohard-Dourlent, H. et al (2015). Being Safe, Being Me: Results of the Canadian Trans Youth Health Survey. Vancouver: University of British Columbia.
https://saravyc.sites.olt.ubc.ca/files/2015/05/SARAVYC_Trans-Youth-Health-Report_EN_Final_Web2.pdf
- ⁷ Office for National Statistics (2016). The 2021 Census: Assessment of initial user requirements on content for England and Wales Sexual identity topic Report, May 2016.
<https://www.ons.gov.uk/census/censustransformationprogramme/consultations/the2021censusinitialviewofcontentforenglandandwales>
- ⁸ People to be asked about 'gender identity' in census. *Telegraph*, May 24, 2016.
<http://www.telegraph.co.uk/news/2016/05/23/people-to-be-asked-about-gender-identity-in-census/>
- ⁹ Schilt, K. & Bratter, J. (2015). From Multiracial to Transgender? Assessing Attitudes toward Expanding Gender Options on the US Census. *Transgender Studies Quarterly*, 2 (1); 77-100.
- ¹⁰ National Center for Transgender Equality (2015). A Blueprint for Equality: A Federal Agenda for Transgender People. Washington: Author.
http://www.transequality.org/sites/default/files/docs/resources/NCTE_Blueprint_June2015.pdf?quot%3B=
- ¹¹ Cote, M. (2016). Here's how non-binary folks can skip the gender question on the Canadian Census. *Montreal Gazette*, May 3, 2016.
<http://montrealgazette.com/news/national/heres-how-non-binary-folks-can-skip-the-gender-question-on-the-canadian-census>
- ¹² Van Santvoort, A. (2016). After Census snub, Canada's trans community feels like it doesn't count. *Rabble News*, May 24, 2016.
<http://rabble.ca/news/2016/05/after-census-snob-canadas-trans-community-feels-it-doesnt-count>
- ¹³ Bill 33, *Toby's Act* (Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression, received Royal Assent on June 19, 2012.
http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2574&detailPage=bills_detail_status
- ¹⁴ Registered Nurses' Association of Ontario (2012). Bill 33: Toby's Act--Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression. Presentation to the Standing Committee on Social Policy, June 11, 2012.
http://rnao.ca/sites/rnao-ca/files/RNAO_Speaking_Notes_Bill_33_Tobys_Act_June_11_2012-Final.pdf

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- ¹⁵ House of Commons of Canada . Bill C-16 *An Act to amend the Canadian Human Rights Act and the Criminal Code*. First Session, Forty-second Parliament, First Reading, May 17, 2016.
<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=8280564>
- ¹⁶ Statistics Canada (2016). Mandate and Objectives. <http://www.statcan.gc.ca/eng/about/mandate>
- ¹⁷ Statistics Canada (2016). 2016 Census Questions and reasons why the questions are asked. Ottawa: Author, 43.
http://www.census.gc.ca/ccr16f/pdf/ccr16f_001-eng.pdf Statistics Canada (2016).
- ¹⁸ Statistics Canada (2016). 2016 Census Questions and reasons why the questions are asked, 42.
- ¹⁹ The Tri-Hospital and Toronto Public Health Equity Data Collection Research Project (2013). We ask because we care. Toronto: Author.
<http://torontohealthequity.ca/wp-content/uploads/2014/10/FINAL-Full-Report-September-2013.pdf>
- ²⁰ Rainbow Health Ontario. About LGBTQ Health. <http://www.rainbowhealthontario.ca/about-lgbtq-health/>
- ²¹ Ontario HIV Treatment Network (2014). Rapid Response: Facilitators and barriers to health care for lesbian, gay and bisexual people. Toronto: Author.
<http://www.ohtn.on.ca/Pages/Knowledge-Exchange/Rapid-Responses/Documents/RR79.pdf>
- ²² BGBTTQI Home Care Access Project, <http://www.yorku.ca/lgbthome/index.html>
- ²³ Taylor, C. & Peter, T. (2011). Every Class in Every School: Final Report on the First National Climate Survey on Homophobia, Biphobia, and Transphobia in Canadian Schools. Winnipeg: Egale Canada Human Rights Trust. <http://egale.ca/wp-content/uploads/2011/05/EgaleFinalReport-web.pdf>
- ²⁴ Registered Nurses' Association of Ontario (2012). Submission to the Standing Committee on Social Policy on Bill 13, *Accepting Schools Act*, 2012 and Bill 14, *Anti-Bullying Act*, 2012. Toronto: Author, May 22, 2012. http://rnao.ca/sites/rnao-ca/files/RNAO_submission_Bill_13__14_bullying_May_24.pdf
- ²⁵ Teitel, E. (2014). LGBT baby boomers find themselves fighting homophobia, again. *Macleans*, June 30, 2014.
<http://www.macleans.ca/society/health/lgbt-baby-boomers-find-themselves-fighting-homophobia-again/>
- ²⁶ Canadian Press (2014). Older gay and lesbian Canadians face discrimination in long-term care facilities. *CBC*, June 28, 2014.
<http://www.cbc.ca/news/canada/toronto/older-gay-and-lesbian-canadians-face-discrimination-in-long-term-care-facilities-1.2690987>
- ²⁷ Rainbow Health Ontario (2014), Opening the Closet on Aging. Toronto: Author.
http://www.rainbowhealthontario.ca/wp-content/uploads/woocommerce_uploads/2014/09/SPN_4panelBrochure_English.pdf
- ²⁸ Sussman, T., Churchill, M., Brotman, S. et al. (2012). Identifying barriers, developing solutions: Addressing the health and social needs of gay, lesbian, bisexual and transgender older adults who reside in long-term care homes: An environmental scan.
<http://www.yorku.ca/lgbthome/documents/olderlgbtintlchomes.pdf>
- ²⁹ Registered Nurses' Association of Ontario (2007). Position Statement: Respecting Sexual Orientation and Gender Identity. Toronto: Author.
http://rnao.ca/sites/rnao-ca/files/storage/related/2486_Respecting_Sexual_Orientation_and_Gender_Identity.pdf
- ³⁰ Rainbow Nursing Interest Group website: <http://rnao.ca/connect/interest-groups/rnig>