

Sexual orientation:  
Findings from public consultation  
April 2018





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## Acknowledgements

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This paper was produced by the Data and Statistical Standards section of Stats NZ. For further information please contact [classifications@stats.govt.nz](mailto:classifications@stats.govt.nz)

## Purpose and summary

*Sexual orientation: Findings from public consultation April 2018* summarises the findings from our analysis of submissions, and explains the processes used to collect and analyse the feedback. It also presents the next steps we will take in creating the statistical standard for sexual identity.

## Introduction to our public consultation

Stats NZ is in the process of creating a framework for sexual orientation and a statistical standard for sexual identity. The framework and standard will provide the requirements and guidelines for how to gather, organise, and report sexual identity information and statistics.

In April 2018, we used a public submissions process to collect feedback on this proposed framework and the components of a statistical standard for sexual identity. These submissions were used to identify and classify relevant themes using qualitative theme analysis, which allowed us to identify patterns and sub-themes in a large amount of text. This meant the main ideas that people discuss in their submissions could be categorised together.

## Summary of results

We received 924 submissions during the three-week consultation period. These were put through two rounds of manual analysis and one round of automated theme analysis using natural language processing.

Over 80 percent agreed with the proposed framework, definitions and terminology, and question design. Those who offered suggestions for change did not find major fault with our proposals – most suggestions focused on inclusivity, with many submitters saying the proposed framework and definitions did not fully cover the scope of sexual orientation. Suggestions included removing binary language, updating some definitions to reflect modern usage, and including more aspects and identities that were not present in the proposed framework.

Other concerns raised were about the privacy, safety, confidentiality, and comfort of the person answering the question. It is important that these aspects are not compromised when collecting sexual identity information.

## Results

Of 924 submitters, 88 percent agreed with the proposed framework, 83 percent agreed with the proposed definitions and terminology, and 85 percent agreed with the proposed question design. Most submitters (85 percent) also agreed that a 'refuse to answer' option should be included in the question design. We did not ask submitters to provide comments if they agreed with the proposed design.

This section summarises the comments, suggestions, and improvements put forward by submitters.

### Proposed framework for sexual orientation

The proposed framework includes concepts and definitions that relate to sexual orientation; that is, sexual attraction, sexual behaviour, and sexual identity.

Most submitters (88 percent) agreed with the proposed framework. Those who did not agree offered suggestions for improvement. Below is a summary of themes that were present in the submission feedback from the 12 percent of submitters who disagreed with parts of the proposed framework. We include extracts from these submitters' submissions.

### Sexual orientation

The proposed sexual orientation framework has three aspects: sexual attraction, sexual behaviour, and sexual identity. Minor definition changes were suggested for each aspect.

In summary, submitters wanted the framework wording to include non-binary and other minority identities, and for it to include gender and sex, rather than solely a biological element. The wording needs to be consistent across the three sexual orientation aspects, to clearly explain the relationship between gender identity and biological sex. Emotional and romantic aspects of attraction were also seen as an important part of identity that needed to be included in the framework.

We also had feedback on other aspects of the proposed framework. Suggestions included expanding the framework to include indigenous identities (eg takatāpui), asexuality, and multiple identities. Some submitters questioned if sexual attraction or sexual behaviour should be collected instead of sexual identity.

### Sexual attraction

Submission feedback about the proposed framework indicated that sexual attraction should be based on gender, not sex. It was also suggested that the definition should include all genders, and encompass emotional and romantic aspects of attraction in the framework.

Sexual attraction – we should use the language of gender, not biological sex. This should not say 'males' or 'females', as these terms are not interchangeable with the words 'men' and 'women'. The wording also implies people are not, for example, attracted to both men and gender diverse people, or to be sexually attracted to everyone but only after forming a strong attachment (what is called grey asexual). It would be more inclusive to say something along the lines of 'men, women, gender diverse people, nobody, or a combination of these'.

No problems with sexual behaviour and sexual identity terms. However, attraction to individuals can be composed of romantic and sexual attraction, and these may be separate. Eg a person may identify as asexual (not experience sexual desire) but may experience romantic

attraction towards men or women, etc, or a person may be sexually and romantically attracted to women, but only sexually, not romantically, attracted to men. Romantic attraction in this case refers to feelings of love, affection, desire for companionship etc for a romantic partner and does not encompass sexual feeling. Recognition of romantic attraction as a part of sexual orientation is especially important for the asexual community. Ironically the definition of "asexual", attraction that does not have a sexual component is mentioned, but this interpretation of attraction is not mentioned in the three key aspects of sexuality!

...you also have romantic attraction which is different from sexual attraction. You have who someone is romantically attracted to, who their romantic partners are and what they identify as. Someone may be biromantic but heterosexual or panromantic and asexual. if you want to be even more precise you can also have sexual intensity and romantic intensity. Aromantic and Asexual would be on there.

## **Sexual behaviour**

Many submitters who disagreed with the proposed framework said the definition of sexual behaviour should include non-binary wording. Some feedback also questioned if sexual behaviour should be in terms of sex or gender.

...how a person behaves sexually. It is whether they have sexual partners of the opposite sex, same sex, intersex, both sexes... "both sexes" implies there are only two. also the use of "opposite sex" is incorrect as well. men are not the "opposite" of women any more [so] than cats are the "opposite" of dogs. this should be reworded to "same sex, other sexes, or both" there are no people who engage solely in sexual behaviour with intersex people. intersex is not a gender and sexual interest is predicated on gender, not the state of someone's genitals or endocrine system.

The Sexual behaviour section uses the phrase "refrain from sexual behaviour". This somewhat implies that an individual who does not engage in sexual behaviour is doing so as a form of restraint, rather than simply not wanting to engage in sexual behaviour. There are many reasons why a person may not engage in sexual behaviour, and for some it may be something they actively refrain from.

## **Sexual identity**

Some submitters who disagreed with the proposed framework questioned if 'identity' was the correct term, as it is potentially too narrow and can have many different meanings.

Sexual identity is the way someone describes their sexuality and is culturally influenced. A person's sexual identity may not match their sexual attraction or sexual behaviour. Individuals can also claim multiple sexual identities at the same time.

Just ask, "What is your sexual orientation?" and give the options in law, and asexual. I do not believe it's appropriate to delve deeper into this by breaking it down into behaviour vs "identity". Identity is a problematic metric as it is totally subjective and puts the meaning of these terms up for debate. The data you would get based on 'identity' questions is flawed as you have no idea how people interpret that aspect. There are already culturally shared understandings of sexual orientation.

## Summary of feedback about framework

While 88 percent of submitters agreed with the proposed framework, some offered suggestions for improvement. Most of these suggestions call for more inclusive and consistent language within the framework. These are the recommended changes from submitters.

- Revise framework component definitions (behaviour, attraction, identities).
- Make the relationship between sex and gender clearer.
- Update sex and gender terms so they are consistent throughout the framework.
- Remove binary language.
- Include other aspects of attraction (romantic/emotional).
- Ensure the framework covers all sexual orientations (including asexuality).

## What we will do

We will modify the framework wording to fit modern usage and be more inclusive. This includes removing binary language, such as the words 'both' and 'opposite', and making sex and gender terms more consistent throughout the framework. We will discuss the relationship between sex and gender in more detail so it is clearer to readers.

Some submitters wanted to see romantic/emotional aspects of attraction included in the framework. As the focus of the framework is sexual orientation, we will only include sexual attraction. However, we will discuss romantic/emotional aspects of attraction alongside the framework, as they can be closely related to sexual orientation.

## Definitions and related terms

We asked if people agreed with the proposed definitions and related terms in the consultation paper. Most submitters (83 percent) agreed with the terms and definitions. Those who did not agree found many of the definitions unclear, inaccurate, and inconsistent. The distinction between gender and sex was a prevalent theme in submissions. Submission feedback showed this distinction was unclear and our use of these terms was inconsistent in the definitions.

Many submitters felt that sexual identity should be framed around gender, not sex. Some definitions were found to exclude non-binary people.

Submission feedback also identified concepts and identities that were not included in the definitions. Romantic attraction and asexuality are examples of those not included.

Submitters also criticised many of the terms used in the definitions. Most of the criticism was directed to binary terms such as 'both' and 'opposite'. By using these terms, non-binary people were excluded from the definitions.

Below is a summary of themes present in the submission feedback from the 17 percent of submitters wanting changes in the proposed definitions and related terms. We include submission extracts from these submitters.

## Definition changes

### Bisexual

The proposed bisexual definition was criticised for being too binary. Submitters argued the proposed definition does not reflect the modern meaning of the word 'bisexual'.

...the definition of "bisexual" needlessly ignores the existence of non-binary people. it is not "attraction to men and women" it is "attraction to one's own gender as well as another gender"

A better definition of bisexuality is "a sexual attraction to one's own and other genders", not "attraction to both men and women", since bi and pansexual people can also be attracted to gender-variant people too!

These comments support a change to the proposed bisexual definition to include non-binary people. Many submitters also stated that bisexual is an attraction to two or more genders, but not all genders.

### Pansexual

Submission feedback indicated the pansexual definition needed more clarity. The proposed definition only includes attraction to sex and not to gender. Submitters argued that this is not accurate, instead saying that pansexual is 'gender blind' and should be inclusive of all genders and sexes.

Pansexual – this definition should include mention of gender rather than just sex. Pansexual people explicitly recognise that gender is not binary and are attracted to "all genders". The current definition simplifies this a bit much.

Pansexual: A pansexual person is someone who is attracted to people regardless of biological sex, gender, or gender identity, or someone who is attracted to all genders.

These comments indicate a need to change the pansexual definition to include all sexes and genders.

### Lesbian

Submitters found the proposed definition of lesbian was not consistent with other identities. Some submitters did not like the word 'solely' to describe attraction, preferring a softer term such as 'primarily'. Unlike other proposed definitions, lesbian does not use the word 'sexual' to describe attraction.

In my view a lesbian is \*primarily\* attracted to other women, not necessarily \*solely\* attracted to other women. Also, again I would prefer if 'different sex' was used in preference to 'opposite sex'.

The Lesbian definition doesn't include "sexual".

These comments support changes to the lesbian definition to make it consistent with other definitions.



## Other definition changes

Submission feedback identified other definitions that were unclear and required revision. Submitters said the terms sex and gender needed clarification as they were not used consistently in the definitions. The asexual, straight, and gay definitions were singled out by many submitters for being too simple and for not fully reflecting modern usage. In contrast, the queer definition was said to be too complex and not understandable.

## Include other identities

Many submitters said the proposed definitions did not include all possible sexual identities and genders. Most of these comments focused on including gender in the proposed definitions. Others suggested including identities on the spectrum between sexuality and asexuality. Many submitters also did not like grouping identities into 'other'. They argued that all identities should be identified and treated equally.

Acknowledgement and definition of demisexuality and the broader spectrum between sexuality and asexuality would be valuable.

Needs more info on gender identity and transgender issues.

...among others is not a good enough explanation. It would be important to identify ALL identifications, such as Intersex.

## Terminology

Some of the terms used were criticised as inaccurate and unclear. Most criticism was directed at using binary words such as 'both' and 'opposite', which was seen as excluding non-binary people. Other submitters noted terms that may not be appropriate, such as 'male and female'. Some submitters suggested we add words like 'current' to reflect the changing nature of sexual identity.

## Non-binary

Many submitters suggested we use more inclusive language. Using terms such as 'both sexes' and 'opposite sexes' excludes people who identify as non-binary.

Many of the terms you have used are not terms many people in the LGBTQIA+ community would use to describe their sexuality. For example, the term 'opposite sex' is problematic in many ways, particularly considering in the sentence there is no mention of the difference between attraction to cis-gender and trans-gender. I would suggest reaching out to an organisation such as Rainbow Youth that work to create inclusive and diverse ideas around sexuality, before you begin describing people's sexuality for them.

The sexual attraction and sexual behaviour definitions reinforce limited binary sex or gender norms through the use of terms that only acknowledge two sexes, such as 'opposite sex', 'and 'both sexes'.

We also received feedback on other aspects of the proposed framework. Suggestions included expanding the framework to include indigenous identities (eg takatāpui), asexuality, and multiple identities. Some submitters questioned if sexual attraction or sexual behaviour should be collected instead of sexual identity. There were also comments on the inconsistent pronoun use throughout the proposed framework.

## Sex/gender terms

Submission feedback indicated some inconsistencies around sex and gender terms. Submitters also said the relationship between sex and gender could be clearer in the proposed framework.

It's important to note that the construct of sexual orientation is contingent upon the construct of sex/gender. Statistics NZ holds inaccurate and incredibly harmful ideas of what constitutes sex/gender, and consequently, these run throughout the current approach to sexuality.

...need to distinguish the difference between biological sex, legal nominated sex (in the case of trans individuals) and gender. Gender must be defined without referencing an immaterial property or identity.

Don't refer to people as males or females. That's poor English. Male and female are adjectives (descriptive terms) not nouns.

## Summary of feedback for definitions and terminology

Most submitters (83 percent) agreed with the proposed definitions and terminology. Most comments from the 17 percent of submitters who disagreed said the proposed definitions and terminology did not follow modern usage and were not all inclusive. Submitters offered suggestions to update and change many of the definitions. These are their recommended changes.

- Change bisexual definition to include non-binary genders.
- Update pansexual definition to include genders and sexes.
- Update lesbian definition to match other identity definitions.
- Review other definitions to ensure they are consistent and match current usage.
- Include romantic and emotional attraction in the sexual attraction definition.
- Include more identities (eg demisexual).
- Remove binary language and make sex and gender terms consistent throughout the framework and definitions.

## What we will do

We will review the proposed definitions and terms, taking into account submission comments and international comparability. New definitions for identities such as 'demisexual' will be reviewed and potentially incorporated into the framework. We will update the language and wording of the definitions to ensure the definitions and terminology are all inclusive and non-binary.

## Question design and how to ask

We asked people to comment on the proposed questions outlined in the consultation paper. Most submitters (85 percent) agreed with the proposed question examples. Those who did not agree said the question categories should be more inclusive and include options that cater for everyone answering the question.

Submitters were also asked to give feedback on where, when, and at what age it was appropriate to ask a sexual identity question. These were open questions and we asked submitters for their own opinions. Nearly all gave suggestions on what age and what kind of situations are acceptable to ask. Many submitters also offered information and guidance about the privacy, safety, and confidentiality aspects of asking a question on sexual identity.

## **Inclusions**

People who did not agree with the proposed question design said it didn't fully cover everything under sexual identity. Many submitters wanted more terms to be added as tick-box choices. Including a write-in option was a popular suggestion as this allows people to fully express their sexual identity. Submitters also wanted an opt-out option and a don't know option, mainly for people who may not feel safe answering or don't yet know their sexual identity.

### **Include more terms**

The majority (85 percent) of submitters agreed with the terms and options included in the proposed sexual identity question examples. Submitters indicated that more options should be included in the question. These include other identities (eg asexual, pansexual), fluidity and variation, and a 'don't know/unsure' category. Some submitters also wanted to see non-western and indigenous terms (eg takatāpui) as option choices.

I think you should have more options such as queer, demisexual and polysexual.

We will never know how big these groups are until we ask the question. I don't have a strong opinion that they should be included now, but you might find that a lot of pansexual don't want to identify as bisexual, and asexual people will likely feel excluded by the question.

Q3B: If the answer is based on what the individual is feeling at the time then the only other answer needed is "unsure" or "undecided" because someone is in the process of discovery/decision.

They don't allow for variation. Sexual orientation can be fluid and changing, and putting it into these four boxes doesn't work for everyone. This doesn't allow enough individuality.

...non-western identities which are not accurately described by English terms should be included as options, especially Māori and Pasifika identities.

### **Include a write-in option**

Submitters said the question should include a write-in option. Including this means people who do not identify with the listed options are able to self-identify without being put into an 'other' category.

...we recommend "Example 3: Partial write-in" option as the most appropriate. It is important to include a write-in option alongside "other". Concepts of sexual identity will vary across cultures and age groups and may change over time.

...the variety of experience & expression means that a framework that tries to capture all of them will inevitably need to be expanded upon & specified. The opportunity to fill in a specific personal answer rather than be lost among "other" or "decline to answer" (quite likely if you feel excluded by the lack of an option) would be important.

### **Include a 'refuse to answer' option**

We asked people if they thought a 'refuse to answer' option should be included in the question design. The majority (85 percent) of submitters indicated they wanted this option in a sexual identity question. Those wanting it to be included argued 'choose not to answer' is important for people who are questioning their identity or are in an unsafe situation and do not wish to answer.

Submitters not wanting a 'choose not to answer' option said data would be lost if people are able to not answer. Some did not want the question treated differently from other demographic questions. Many submitters said the wording 'refuse to answer' is too harsh and not suitable for everyone not wanting to specify their identity.

...we agree that respondents should have the option not to state their sexual identity. However the phrasing of the options "choose not to answer"/"refuse to answer" may convey a position of disagreement with the inclusion of sexual identity questions, and may not be suitable for respondents who simply do not want to state their own sexual identity. We suggest softening the tone of the response (ie, "prefer not to state) if the need for response standardisation across questions will allow.

Providing the options to select "choose not to answer", "I don't know", as well as "I don't understand the question" is particularly important for young people.

We do not recommend that a "refuse to answer" or "choose not to answer" response option should be included. It is important that sexual identity responses are consistent with other socio-demographic questions such as ethnicity.

Many submitters suggested that in some situations people may not be honest in the answers they give. They may not feel comfortable giving an honest answer due to fear of being discriminated against. This is true even with an opt-out option, as people who do not feel safe or comfortable disclosing their sexual identity may be more likely to choose the 'straight/heterosexual' option rather than the 'refuse to answer' option.

...factor in safety for LGBT+ individuals if they are living in unsafe family homes where they can't openly or honestly answer the question but to lie would make them feel awful about themselves.

From our experience, if participants are uncomfortable or under threat of discrimination they would select the "heterosexual/ straight" option rather than select "refuse to answer" or "choose not to answer". This could be due to concerns from participants that choosing either of these options could raise further questioning or assumptions from parents, peers or researchers as to why they did not choose the "heterosexual/straight" option.

### **Include a 'don't know' option**

Submission feedback indicated a need for a 'don't know' option, especially if younger people are answering the question. Younger people may not yet know their sexual identity and may struggle to answer the question accurately. Some submitters argued against a 'don't know' option, saying that if a person does not know their sexual identity they are too young to be asked.

I think as long as you provide an option to state that you don't know, then it could be asked at any age. Some people know their orientation from a very young age, and some people don't know their orientation until much later on in life.

I think 15 is old enough to ask, so long as there are options to say that you don't know yet.

There should never be a choice of "I don't know" or "prefer not to say" when it comes to sexual identities. Either the person too young to know, which makes this question inappropriate and has no contributions to the stats desired. Or, the person is too confused to be doing this survey. When society is pressuring a person to make a decision, he or she will get

confused, and it's not a good time to let the person [to] do any surveys regarding sexual identities.

## **Appropriateness**

We asked where and at what age people thought it was appropriate to ask a question on sexual identity. This was asked to inform question guidelines in the statistical standard. Responses included submitters listing surveys they thought were appropriate, and discussions on when, where, and how to ask to ensure a person's safety and privacy. Many submitters also queried the purpose of the question – does this information need to be collected?

### **Where it is appropriate to ask about sexual identity**

Submitters provided feedback on when and where it was appropriate to ask a question on sexual identity. Most feedback fell into three categories: the types of surveys that are appropriate, the purpose for asking the question, and guidance on how to ask.

#### *Type of survey*

Most submitters suggested the types of surveys where it would be appropriate to ask about sexual identity. The census was most popular suggestion. Many submitters said it would be appropriate in any survey where other demographic information is collected (eg age and ethnicity).

Any survey that is collecting data on a person, where they ask for other demographic information (ie age, location). Definitely in any survey run by central or local government.

Add an optional question on sexual orientation on anonymous surveys on health and on housing and on residential services and facilities.

National census or census-like official data collections.

We had strong feedback indicating that collecting sexual identity information in a health setting was appropriate. A person's sexual identity can affect their sexual, physical, and mental health. Submitters felt it was important for health professionals to collect this information to provide specialised individual care.

In certain medical contexts, where information about sexual activity is likely to have a bearing on the type of preventative care a person requires (ie STD testing is not necessarily relevant for someone who is asexual).

If someone is engaging [in] sexual activity a doctor should know their patient's sexual orientation so they can better help and give advice to that patient for their own health and well-being.

The only time I could consider this appropriate/necessary is during a sexual health check/doctor's visit.

#### *Purpose for asking*

Many submitters discussed if it was appropriate to ask about sexual identity at all. Opinions were divided. Some said it was a personal matter and questioned how necessary it was to collect this information. Others argued it should always be appropriate to ask, because asking increases visibility and understanding of sexual minorities. It would also allow them to be more accurately represented.

Never, there is no reason for anybody, any group or any organisation to know anybody else's sexual identity.

I firmly believe that it is nobody's concern. Should someone be sexually and emotionally attracted to a female, a male, etc or whether transgendered or cisgendered, they do not need to be questioned about it for purpose of "statistics". Someone's sexuality is nobody's business, only people who are close to that individual should be allowed to ask questions so as to help and clarify any questions that individual may have.

I think it should always be considered ok and appropriate; if we don't get information on our population and their identity it is hard to cater for the needs of the public.

Honestly, any and all if it's going to be helpful. Data collected from these questions are just as important as the standard demographic data on race, age, and geography, and sexual identity is a valid, important part of a person's identity. Especially important in medical situations.

Many other submitters considered it important to ask this question when it will directly affect the amount of funding, access to benefits, and access to services for sexual minorities.

Census? Actually I am not sure. Perhaps it could help determine where support for LBGTQA+ is most needed.

The census. In situations where a population (eg all employees in a workplace) are being surveyed, in order to understand the group. It needs to be used where changes could be made to better serve the lgbtq population in that situation.

When this demographic information is likely to lead to future benefit for queer people.

#### *Guidance on how to ask*

Many submitters offered guidance on how and when to ask a question on sexual identity. The majority of these focused on the privacy and confidentiality of the person answering the question. Submitters were clear this question should not be asked if a person's safety could be compromised. Most submitters said there should be an opt-out option for people who do not feel comfortable answering the question.

...key to note that questions about sexual identity may cause anxiety or stress so it is important that efforts are made to minimise this and that people are made aware of services they can go to.

In an anonymous forum, or in a way the person answering feels comfortable. Having someone ask directly will receive a different response than ticking a box anonymously.

I think that question should only be asked in a safe environment with only the individual. That way they can then decide if they're willing to share or not. I don't think that it's appropriate to ask such a question in front of a group or even in front of parents as it should be all about the comfort of the individual.

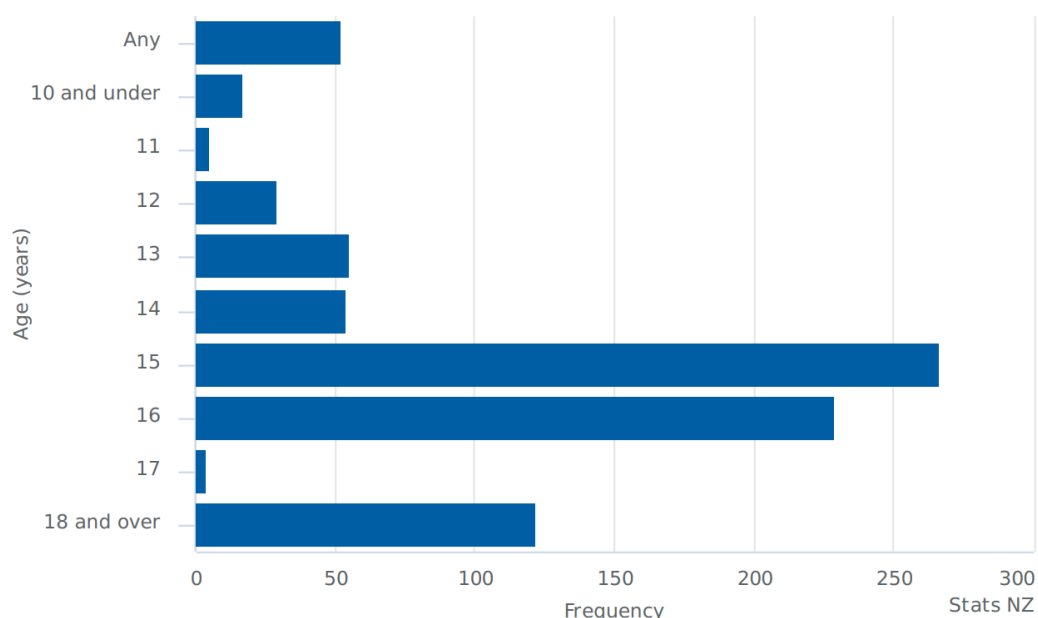
### **Appropriate age to ask about sexual identity**

We asked what age people think is appropriate to ask a question on sexual identity. Nearly all submitters suggested an age, with 15 being the most-popular option.

Figure 1 shows the earliest age submitters said was appropriate to ask a sexual identity question. The most-popular age to ask was 15 years, closely followed by 16 years – which many said was appropriate as it is the age of consent in New Zealand.

**Figure 1**

**Appropriate age to ask a sexual identity question, 2018**



**Data behind figure 1**

Appropriate age to ask a sexual identity question, 2018	
Age (years)	Frequency
Any age	52
10 and under	17
11	5
12	29
13	55
14	54
15	266
16	229
17	4
18 and over	122

A large group said it was a question that should only be asked of people aged 18 years or older (ie adults). This group said it was inappropriate to ask of younger people, and many people under 18 may not know their sexual identity. Submitters also expressed concern that younger people may not be independent, or in a safe environment where answering about sexual identity could lead to discrimination.

...it takes some maturity to be able to understand yourself so it's smart for census takers to wait until young people are around 17/18 before they start gathering data.

If the question is being asked in a private setting with a "don't know" option then it can be asked of any age. If the setting is not private (eg the census which is often filled out with parents present) then 18.

While some submitters had concern about asking younger people, many indicated a sexual identity question should be asked of people aged 15 years or younger. Some argued they should be asked of all ages, although this came with some cautions. Most submitters said there must be an opt-out option if this question was asked of younger people – to ensure their privacy, safety, and confidentiality, especially if they do not feel safe answering the question.

Submitters considered a 'don't know' option was important for younger people. Many also said this question should only be asked if it is appropriate and relevant. If there is no clear need for it to be asked then it should not be asked.

...for safety reasons it would only be appropriate to ask at the age a young person has complete control of the documents they are filling out and can handle them independently of their guardian.

15+ but potentially needs an 'I'm not sure yet' option similar to the 'I refuse to answer'.

Any, but this must include a choose not to answer category for kids who don't want to come out.

Around 14–16 seems appropriate, as long as it is relevant, and it is acknowledged that many young people are still defining their identities for themselves. However, many young people are aware of their sexual identity from a much younger age.

## **Privacy, safety, and confidentiality**

Submission feedback indicated a need for clear guidance to ensure the privacy, safety, and confidentiality of respondents is upheld. Sexual identity is personal and many people may not be comfortable answering a question about it. The comments below show concerns the submitters had about collecting and reporting sexual identity information.

...data on the experiences of sexual minority populations can reinforce stereotypes and cause harm if analysed, interpreted or communicated inappropriately. Poor research practices will subsequently influence the willingness of sexual orientation minorities to endorse and participate in research.

Any context where the data is relevant, as long as the respondents know that their answers are confidential and anonymous, and as long as there is also an option of 'rather not answer'.



...factor in safety for LGBT+ individuals if they are living in unsafe family homes where they can't openly or honestly answer the question but to lie would make them feel awful about themselves.

Submitters were concerned that collecting sexual identity information would infringe on people's privacy, safety, and confidentiality. They wanted to know how this information was going to be collected, mostly to ensure that a person's privacy and confidentiality were upheld.

Submitters also wanted to know how the information would be used. The biggest concern was that it could be used to discriminate against sexual minorities. They wanted assurance that all information collected will be anonymous, be stored securely, and only be used to benefit people.

## Summary of feedback for question design

While most submitters agreed with the proposed question design and with including a 'refuse to answer' option (85 percent for each), some offered suggestions for change to the proposed question design. Most suggestions focused on being all inclusive and ensuring a person's privacy, safety, confidentiality, and personal comfort when answering a question on sexual identity. The following are the recommendations from submitters.

- Include more question options such as indigenous identities.
- Include a write-in option so people can fully express their sexual identity.
- Allow people to opt out of answering the question if they are not comfortable answering.
- The most-appropriate times to ask this question are when other demographic information is collected (eg census) and in medical settings.
- Include guidance on how to ensure people's privacy, safety, and confidentiality will be maintained.
- Include a 'don't know' option as some people, especially younger people, may not know their sexual identity.
- The most-popular recommended earliest age for asking is 15 years.
- Be aware that many people, especially younger people, may not be honest when answering a question on sexual identity.

## What we will do

We will review the question examples and further investigate including more sexual identities in the question options. We will include several question examples in the statistical standard (as a guide). Note: collections can design their own question to suit their purposes.

Including 'refuse to answer' and 'don't know' options will be reviewed, based on submitter comments and international comparability. The statistical standard will include guidance on privacy, safety, and confidentiality for collecting sexual identity data.

## Next steps

The next steps are to revise the proposed sexual orientation framework, definitions and terminology, and question design, and to develop the statistical standard for sexual identity from the feedback received.

We have read and reviewed all feedback from submitters. This feedback will be used to ensure the framework, definitions and terminology, and question design are all inclusive while still maintaining international comparability and statistical best practice.

Submission feedback also indicated a strong need for guidance to ensure the privacy, safety, and confidentiality of respondents. The comfort of the person answering was also an important aspect when asking a question on sexual identity. The standard will include guidance on how to collect this information while ensuring the privacy, safety, confidentiality, and comfort of the person answering.

## Methodology

This section outlines the processes we used to collect public submissions and analyse the submission feedback.

### Consultation process

The first step was to collect feedback from the public through consultation. A consultation document outlined the proposed framework, definitions and related terms, and question design for sexual orientation.

We also compiled a paper detailing international practices for collecting statistics on sexual orientation and designed a survey asking for feedback on the proposals. A working group, questionnaire design experts, and Stats NZ's publishing team reviewed the survey draft.

We sent the documents and survey to selected government agencies and private organisations for feedback in December 2017. This gave us an idea of possible themes we might see in the public consultation. The feedback was also used to improve the submission survey and consultation documents.

The final survey was loaded into Survey Gizmo, an internet-based tool, for the public consultation.

[Appendix 1](#) has the survey questions.

Public consultation began on 10 April 2018 and lasted three weeks. We posted an invitation to make a submission and a link to the consultation on Facebook and our website. Targeted email invitations were also sent to groups and individuals who represent and support LGBTQIA+ communities. Submitters could complete the survey online or by using a PDF version to email to Stats NZ.

We deleted submissions from Survey Gizmo daily. Each was given a unique code identifier and stored in a secure area within Stats NZ's IT system.

We received 924 submissions from government agencies, groups, and individuals. A clear majority of submissions (97 percent) came from individuals. A further 39 responses came from outside New Zealand. These were analysed separately and compared with the New Zealand submissions. We found no major differences in the international submissions when compared with the New Zealand submissions.

## First analytical stage: Theme analysis

The first stage in analysing the submissions was to categorise the feedback into themes.

We imported all submissions into RQDA (R-based Qualitative Data Analysis), a tool used to categorize large quantities of text into common categories, or themes. We used the 11 possible themes we had found from the initial government agencies' and private organisations' feedback to categorise the public submissions. All submissions were read. We categorised relevant extracts from the 924 submissions under the 11 themes listed below.

- Framework
- Privacy / safety / confidentiality
- Appropriateness
- Question design
- Information need
- Inclusivity
- Definitions / terminology
- Age
- Out of scope – gender identity
- Out of scope – sexual behaviour
- Out of scope – submission processes.

Of the 11 themes, three were out of scope for this project. We categorised feedback on gender identity and sexual behaviour that was not related to sexual identity to its respective out-of-scope theme. Feedback related to sexual identity was categorised into the appropriate theme.

Many submitters also commented on the consultation process. As these comments did not directly relate to sexual identity we categorised them as out of scope. While feedback from the out-of-scope themes did not relate to sexual identity, we have kept this to assist potential future projects.

## Second analytical stage: Sub-theme analysis

Next, we looked more closely at the extracts in the eight themes to identify specific sub-themes in each. This process included manual analysis of the submission extracts under each theme, and an automated analysis using a natural language processing qualitative analysis tool.

[Appendix 2](#) lists all sub-themes from both the manual and automated analyses.

### Manual sub-theme analysis

In the second analytical stage, a team of analysts manually analysed a random sample of at least 20 percent of extracts from seven themes – to identify sub-themes. We examined the age theme separately, using quantitative techniques, as it primarily consisted of the age that submitters' thought appropriate to ask a question on sexual identity.

Table 1 shows the number of submission extracts manually analysed and the total number of submission extracts for each theme.

**Table 1**

<b>Number of submission extracts for high-level themes</b>		
<b>High-level theme</b>	<b>Number of extracts analysed</b>	<b>Total number of extracts</b>
Framework	115	264
Privacy/safety/confidentiality	39	100
Appropriateness	200	801
Question design	104	503
Information need	41	129
Inclusivity	51	115
Definitions/terminology	54	202

## Reliability of manual analysis

Due to the manual nature of this qualitative analysis, it was important we ensured the reliability of the theme selection across the team of analysts.

To assess the reliability of the thematic coding decisions, we carried out a test of intercoder reliability. This test verifies the sub-theme analysis is consistent throughout the team. Using a sample from the submissions data, each analyst themed and then compared their decisions for coding. This test found we had sufficient alignment of coding decisions for the group.

## Automated sub-theme analysis

An automated theme analysis process was used to verify the sub-themes found with the manual analysis. We developed an in-house qualitative analysis tool in R, using natural language processing (NLP), to extract relevant themes. NLP uses machine-learning text-mining and topic-modelling techniques to find keywords, concepts, patterns, and themes in large amounts of text. By doing this we grouped together submission extracts, based on the probability they fall under the same theme.

All submission extracts from each theme were processed using this NLP tool. This included extracts from the age theme, to pick up potential sub-themes from text responses.

The number of sub-themes we chose to pull out was the number of manual sub-themes plus 1. For example, we found six sub-themes in the manual analysis of the question design theme, so we selected seven for the automated analysis. This was to verify the sub-themes found in the manual analysis and to see if any sub-themes were missed. We found no additional sub-themes when increasing the number beyond the manual analysis plus 1. We did no manual analysis for the age theme so used the average number of sub-themes for all themes.

The output listed key words for each sub-theme, which, along with the relevant submission extracts, we used to determine the sub-theme's name.

The NLP gave similar sub-themes to the manual analysis – most were the same as the manual analysis. We found only one additional sub-theme. This was in the question design theme – 'respondent considerations'.

The similarities between the manual and automated analysis validates the sub-themes we found in the manual analysis, and demonstrates the manual sub-themes accurately represent all the sub-themes present in the themes.

[Appendix 2](#) lists the manual and automated sub-themes.

## Glossary

**intercoder reliability:** A test to evaluate the extent to which two or more individuals agree. It addresses consistency among coders.

**framework:** Represents an agreed way of thinking about or mapping a topic. A framework describes the topic's scope and provides definitions for aspects that relate to the topic. Frameworks support consistent collection and reporting of information.

**LGBTQIA+:** Initialism of the terms lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual. The plus denotes this is not a definitive list of rainbow terms. An important point to note is that this initialism is a mix of sex, sexual orientation, and gender identity expressions. These can be related, but they are also separate and distinct.

**natural language processing:** Also known as NLP, applies computational techniques to analyse natural language. NLP uses machine-learning text-mining and topic-modelling to find keywords, concepts, patterns, and themes in large amounts of text.

**non-binary:** Preferred umbrella term for all genders other than female/male or woman/man.

**R:** A programming language and environment for statistical computing and graphics.

**RQDA:** Stands for R-based Qualitative Data Analysis. It is a tool used to organise qualitative data into themes.

**statistical standard:** A comprehensive set of guidelines for surveys and administrative sources that collect information on a particular topic.

**Survey Gizmo:** An online tool that is used to create and conduct surveys and questionnaires.

**theme analysis:** Also known as topic analysis; a common form of qualitative analysis. It is used to identify meaningful patterns across a dataset.

**qualitative analysis:** The process of analysing, understanding, and interpreting meaning in non-numeric, textual data. This includes the analysis of naturally expressed opinions or views by people.

**quantitative analysis:** A technique that seeks to understand behaviour by using mathematical and/or statistical modelling, measurement, and research. Quantitative analysis aims to represent a given reality by using a numerical value.

## Appendix 1: Questions from consultation survey

1. Proposed framework for sexual orientation
  - a. Do you agree with the sexual orientation framework outlined above? That is, that sexual orientation has three aspects – sexual attraction, sexual behaviour, and sexual identity
  - b. Looking at the definitions of the aspects of sexual orientation (attraction, behaviour, and identity), do they adequately cover the meaning of each term?
2. Proposed definitions of related terms
  - a. Looking at the related terms in the *Sexual orientation: Consultation for developing a statistical standard for sexual identity* paper, do the proposed definitions explain the terms fully?
3. Question design
  - a. Question categories: Do you agree with the terms/options we use in the proposed sexual identity question examples?
  - b. Question categories: Do you think a “refuse to answer” and/or “choose not to answer” response option should be included in a sexual identity question?
  - c. Age of person answering: Around the world the age for sexual identity questions varies from 15 years and over (15+) to 18+ years. What age do you think is appropriate to be asked a sexual identity question?
  - d. When is it appropriate to ask about sexual identity?
  - e. Question design: looking at the proposed question examples in the *Sexual orientation: Consultation for developing a statistical standard for sexual identity* paper, do you have any comment on the question design?
4. Further information you would like to share
  - a. Is there any other information you would like to share to help us develop the statistical standard for sexual identity?

## Appendix 2: Themes and sub-themes from manual and automated analysis

The following table lists the sub-themes under each of the eight themes we identified through both manual and automated analysis.

**Table 2**

<b>Sexual orientation submission themes, identified by manual coding and natural language processing (NLP) coding</b>		
<b>Age theme</b>	<b>Appropriateness theme</b>	
<b>NLP</b>	<b>Manual</b>	<b>NLP</b>
Level of maturity	General social/demographic surveys	
Appropriateness	Census	Appropriate in surveys
Destigmatisation	Personal matter	Personal matter
Age of consent	Always appropriate	Always/never appropriate
Privacy for younger respondents	Not appropriate	
Don't know/refuse to answer	Visibility/normalisation	Normalisation/destigmatisation
Specific to individual	Only when necessary	Transparency/openness
Comfort of respondent		Discrimination
All ages		Situational
Relevance		Individual needs
	Opt-out, privacy/confidentiality	Anonymity
		Comfort of respondent
	Funding/benefits/services	Providing services
		Funding and services
	Medical/health-related	Health/medical
	Research purposes, statistical purposes	Demographic collections

Table 2 continues on next page



Sexual orientation submission themes, identified by manual coding and natural language processing (NLP) coding			
Definitions/terminology theme		Framework theme	
Manual	NLP	Manual	NLP
Definition changes	Framework definitions	Include asexual options	Expansion of framework
	More detail needed	Include indigenous sexual identities	
	Definitions too simple	Framework components, definitions/wording changes	Sexual identity definition
Definition changes: pansexual	Definition: pansexual		Sexual attraction definition
Definition changes: bisexual	Definition: bisexual		Sexual behaviour definition
Definition changes: queer	Definition: queer	Sex and gender in relation to sexual orientation, definitions/wording changes	Gender/sex pronoun use
Definition changes: lesbian	Definition: lesbian		Sex/gender terms
Definition changes: gay	Definition: gay	Fluidity of sexuality	Fluidity & multiple identities
Definition changes: sex	Definition: sex	Use of non-binary language	Non-binary language
Inclusivity: Asexual	Definition: asexual	Include other aspects (romantic, emotional)	Romantic attraction
Inclusivity: romantic attraction	Romantic/emotional attraction	Provide clear guidance	Collecting behaviour/attraction
Inclusivity: other identities	Include more identities		
Inclusivity: gender	Gender identity terms		
Binary	Non-binary language		
Terms used	Pansexual vs bisexual		
	Use of sex vs gender terms		
	Use inclusive terms		
Fluidity of terms	Fluidity of sexual identity		

Table 2 continues on next page

Sexual orientation submission themes, identified by manual coding and natural language processing (NLP) coding			
Inclusivity theme		Information need theme	
Manual	NLP	Manual	NLP
Inclusion of cultural or indigenous terms/concepts	Include non-western identities	Policy/decision making	Policy/Decision making
use non-binary language	Involve gender diverse communities	Representation/visibility	Diversity information
The relationship between gender identity, sex and sexual identities			Normalisation/representation
Include romantic/emotional aspects of attraction in the framework	Expand attraction definition	Current lack of data	No clear need/lack of data
Collection of sexual identity needs to be open and all inclusive	Include all identities	No clear need	
	Self-identify	Access to funding/support/services	Access to support/services
	Include more options on surveys		How information will be used
	Tick-box options		
	Suggestions of terms to include		
Allow for multiple responses	N/A		
Need to allow for spectrum responses: varying degrees of sexual identity	N/A		

Table 2 continues on next page

Sexual orientation submission themes, identified by manual coding and natural language processing (NLP) coding			
Privacy/safety/confidentiality theme		Question design theme	
Manual	NLP	Manual	NLP
How to ask to ensure privacy etc	Guidelines: how/when/why to ask	Suggested changes to question categories	Operational considerations
Sensitivity to confidentiality/ anonymity	Confidentiality	Allow for multiple sexual identities	
	Anonymity	Include or exclude a 'refuse to answer' / 'choose not to answer' category?	Refuse to/choose not to answer
Sensitivity to potential discrimination	Discrimination	Include more options in the question categories	Include more options
Information quality - truthfulness/ openness	Truthfulness/ openness		Include indigenous options
Sensitivity towards a person's safety	Safety	Allow for write-in	Include write-in
Voluntary/refuse to answer	Refuse to answer	N/A	Respondent considerations