




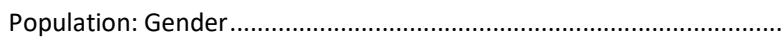


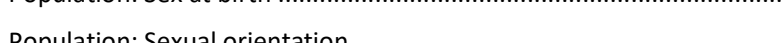
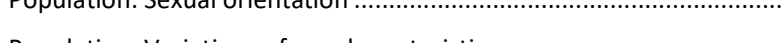
ABS package for Minister's Office

2026 Census – Topic update

May 2024

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About this document



- This document provides updates on selected Census topics being considered for addition, change or removal from the 2026 Census as requested by Assistant Minister Andrew Leigh’s Office.



Key points on status of topics in this document

- The 2026 Census question images in this document are the final design for the 2024 Test.
- The ABS has not decided on the topics that will be recommended to the Australian Government for inclusion, change or removal. The ABS will develop a final list of topics to recommend to the Australian Government in mid-2024. Following the Government decision on the 2026 Census topics, an amendment will be made to the Census and Statistics Regulation 2016. This will be tabled in both houses of the Australian Parliament.
- The ABS has the authority to determine the questions that are used to collect data on the topics listed in the Census and Statistics Regulation 2016. The ABS will determine the final question design for topics following analysis of data from the 2024 Test.

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Population: Gender

The ABS has publicly [advised](#) that this topic proceeded to preliminary testing due to the strong need for data. The ABS will review testing outcomes before deciding if the topic will be recommended for inclusion in the 2026 Census.

This change is proceeding to the 2024 Test, however this has not yet been publicly announced. The ABS LGBTIQ+ Expert Advisory Committee have been advised.

2021 Census question

N/A

2024 Test question

What is the person's gender?

- Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.
- Mark one box, like this:

<input type="checkbox"/>	Man or Boy
<input type="checkbox"/>	Woman or Girl
<input type="checkbox"/>	Non-binary
<input type="checkbox"/>	Uses another term (specify)
<input type="checkbox"/>	Prefer not to answer

Consultation and engagement

Although feedback was not specifically requested for this topic in the 2026 Census phase two public consultation, there was an option to provide feedback.

Key stakeholders

During public consultation, the ABS met with the following stakeholders:

- ABS LGBTIQ+ Expert Advisory Committee⁷
- ABS Round Table on Aboriginal and Torres Strait Islander Statistics
- Queensland LGBTIQ+ Round Table
- Attorney General's Department
- Australian Human Rights Commission
- National Disability Insurance Agency
- Office for Women (Prime Minister & Cabinet)
- Statistical Society of Australia

Outcomes of preliminary testing

The question for the topic of Gender tested sufficiently and will proceed to the Test in September 2024. All changes to the 2020 Standard were supported by the ABS LGBTIQ+ Expert Advisory Committee. These changes are:

- Changed question wording to remove the word 'describe'
- Removal of 'male' and 'female'
- Inclusion of 'boy' and 'girl' in the response categories
- The online form also adjusts response options based on age of respondent.

During cognitive testing, the ABS observed that while many participants understand the distinction between the concepts of sex and gender, there was less understanding of the distinction between these concepts and sexual orientation and variations of sex characteristics. These concepts were often conflated for another. This resulted in several comments regarding the repetitiveness of the questions. The majority of LGBTIQ+ participants were supportive of the inclusion of the question.

⁷ The ABS engaged with several committee members individually prior to the establishment of the committee.

Next steps

The ABS will continue to engage with key stakeholders, including the ABS LGBTIQ+ Expert Advisory Committee, to seek guidance on the design and testing of potential content for the 2026 Census.

Should the Government decide to include the topic of Gender in the 2026 Census, the ABS will analyse the outcomes of the Test in September 2024 and engage with key stakeholders prior to deciding on the final question design for the 2026 Census.

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Population: Sex at birth

The ABS has publicly [advised](#) they will recommend topic retention. The ABS has also advised they have commenced preliminary testing of a change to the question wording to specifically collect sex recorded at birth and update response categories to improve data quality.

This change is proceeding to the 2024 Test, however this has not yet been publicly announced. The ABS LGBTIQ+ Expert Advisory Committee have been advised.

2021 Census question

<p>Is the person:</p> <ul style="list-style-type: none"> • Mark box, like this: <input type="checkbox"/> <p> Go to www.census.abs.gov.au/questions for more information.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Non-binary sex
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2024 Test question

<p>What was the person's sex recorded at birth?</p> <ul style="list-style-type: none"> • 'Another term' includes options available on birth registrations. • Mark one box, like this: <input type="checkbox"/> 	<ul style="list-style-type: none"> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Another term
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Consultation and engagement

Although feedback was not specifically requested for this topic in the 2026 Census phase two public consultation, there was an option to provide feedback.

Key stakeholders

During public consultation, the ABS met with the following stakeholders:

- ABS LGBTIQ+ Expert Advisory Committee⁸
- ABS Round Table on Aboriginal and Torres Strait Islander Statistics
- Queensland LGBTIQ+ Round Table
- Attorney General's Department
- Australian Human Rights Commission
- National Disability Insurance Agency
- Office for Women (Prime Minister & Cabinet)
- Statistical Society of Australia

Outcomes of preliminary testing

The question for the topic of Sex (to collect sex at birth) tested sufficiently and required less change throughout the testing program. All changes to the 2020 Standard were supported by the ABS LGBTIQ+ Expert Advisory Committee. These changes are the inclusion of instructional text to guide respondents on what 'Another term' includes and removal of the free text field for 'Another term'. The majority of LGBTIQ+ participants were supportive of the change to this question.

During cognitive testing, the ABS observed that while many participants understand the distinction between the concepts of sex and gender, these was less understanding of the distinction between these concepts and sexual orientation and variations of sex characteristics. These concepts were often conflated for another. This resulted in several comments regarding the repetitiveness of the questions.

⁸ The ABS engaged with several committee members individually prior to the establishment of the committee.

Next steps

The ABS will analyse the outcomes of the Test in September 2024 and engage with key stakeholders, including the ABS LGBTIQ+ Expert Advisory Committee, where further advice is required prior to a decision being made on the final question design for the 2026 Census.

Population: Sexual orientation

The ABS has publicly [advised](#) that this topic has proceeded to preliminary testing due to the strong need for data. The ABS will review testing outcomes before deciding if the topic will be recommended for inclusion in the 2026 Census.

This change is proceeding to the 2024 Test, however this has not yet been publicly announced. The ABS LGBTIQ+ Expert Advisory Committee have been advised.

2021 Census question

N/A

2024 Test question

How does the person describe their sexual orientation?

• Mark one box, like this:

<input type="checkbox"/>	Straight
<input type="checkbox"/>	Gay or Lesbian
<input type="checkbox"/>	Bisexual
<input type="checkbox"/>	Uses another term (specify)
<input type="checkbox"/>	Don't know
<input type="checkbox"/>	Prefer not to answer

Consultation and engagement

Although feedback was not specifically requested for this topic in the 2026 Census phase two public consultation, there was an option to provide feedback.

Key stakeholders

During public consultation, the ABS met with the following stakeholders:

- ABS LGBTIQ+ Expert Advisory Committee⁹
- ABS Round Table on Aboriginal and Torres Strait Islander Statistics
- Queensland LGBTIQ+ Round Table
- Attorney General's Department
- Australian Human Rights Commission
- National Disability Insurance Agency
- Office for Women (Prime Minister & Cabinet)
- Statistical Society of Australia

Outcomes of preliminary testing

The ABS tested five variations of the question for Sexual orientation, however the question design for the 2024 Test is closely aligned with the question in the Standard, with small adjustments to

⁹ The ABS engaged with several committee members individually prior to the establishment of the committee.

simplify response options. The ABS is confident that this version of the question will work better in the Census context than the previous tested versions.

There are some remaining concerns regarding respondents finding the placement of the question on the paper form confusing (this placement is better than others tested), and participant understanding or support for the question, with the ABS needing to consider if the latter will impact overall response rates.

The majority of LGBTIQ+ participants were supportive of the inclusion of this question.

During cognitive testing, the ABS observed that while many participants understand the distinction between the concepts of sex and gender, there was less understanding of the distinction between these concepts and sexual orientation and variations of sex characteristics. These concepts were often conflated for another. This resulted in several comments regarding the repetitiveness of the questions.

Next steps

The ABS will continue to engage with key stakeholders, including the ABS LGBTIQ+ Expert Advisory Committee, to seek guidance on the design and testing of potential content for the 2026 Census.

Should the Government decide to include the topic of Sexual orientation in the 2026 Census, the ABS will analyse the outcomes of the Test in September 2024 and engage with key stakeholders prior to deciding on the final question design for the 2026 Census.

Population: Variations of sex characteristics

The ABS has publicly [advised](#) that this topic is being tested due to the strong need for data. The ABS will review testing outcomes before deciding if the topic will be recommended for inclusion in the 2026 Census.

This change is proceeding to the 2024 Test, however this has not yet been publicly announced. The ABS LGBTIQ+ Expert Advisory Committee have been advised.

2021 Census question

N/A

2024 Test question

<p>Has the person been told they were born with a variation of sex characteristics (sometimes called 'intersex' or 'differences of sex development')?</p> <ul style="list-style-type: none"> • This question refers to innate reproductive development, genetics, or hormones that do not fit the medical norms for female or male bodies. • These specific characteristics may be noticed at birth, or develop in puberty. 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know <input type="checkbox"/> Prefer not to answer
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Consultation and engagement

Although feedback was not specifically requested for this topic in the 2026 Census phase two public consultation, there was an option to provide feedback.

Key stakeholders

During public consultation, the ABS met with the following stakeholders:

- ABS LGBTIQ+ Expert Advisory Committee¹⁰

¹⁰ The ABS engaged with several committee members individually prior to the establishment of the committee.

- ABS Round Table on Aboriginal and Torres Strait Islander Statistics
- Queensland LGBTIQ+ Round Table
- Attorney General's Department
- Australian Human Rights Commission
- National Disability Insurance Agency
- Office for Women (Prime Minister & Cabinet)
- Statistical Society of Australia

Outcomes of preliminary testing

The ABS currently has concerns around the effectiveness of a question to collect Variations of sex characteristics.

In every round, there have been concerns from test participants about what the question on Variations of sex characteristics is referring to, how to answer the question and/or discomfort with being asked. The ABS LGBTIQ+ Expert Advisory Committee subgroup has convened after each round of testing to support updates.

Updating the question wording from "Was [the person] born with..." to "Has [the person] been told they were born with..." and spelling out the acronym 'DSD' in the question wording improved the performance of the question for some respondents, however this did not fully address concerns for the broader population.



S47E

The ABS LGBTIQ+ Expert Advisory Committee subgroup advised against further changes to simplify this question as it increases the risk of people answering incorrectly.

During cognitive testing, the ABS observed that while many participants understand the distinction between the concepts of sex and gender, there was less understanding of the distinction between these concepts and sexual orientation and variations of sex characteristics. These concepts were often conflated for another. This resulted in several comments regarding the repetitiveness of the questions.

Next steps

The ABS will continue to engage with key stakeholders, including the ABS LGBTIQ+ Expert Advisory Committee, to seek guidance on the design and testing of potential content for the 2026 Census.

Should the Government decide to include the topic of Variations of sex characteristics in the 2026 Census, the ABS will analyse the outcomes of the Test in September 2024 and engage with key stakeholders prior to deciding on the final question design for the 2026 Census.

S22

From: S22
Sent: Wednesday, 27 March 2024 8:27 PM
To: LeighDLO@treasury.gov.au; S47F
Cc: officeofthesecretary@treasury.gov.au; ChalmersDLO@treasury.gov.au;
 S47F @treasury.gov.au; S47F @treasury.gov.au;
 S47F @treasury.gov.au; S47F @treasury.gov.au;
 S47F @treasury.gov.au; TreasuryDataStrategy@treasury.gov.au; David Gruen;
 Jenet Connell; Marcel van Kints; Brenton Goldsworthy;
 general.managers@abs.gov.au; S22; S22; S47F
Subject: ABS Submission - MB24-000004 - Meeting with the LGBTIQ+ Expert Advisory
 Committee for the 2026 Census - Wednesday 3 April 2024 [SEC=OFFICIAL]
Attachments: ABS Submission - MB24-000004 - Meeting with the LGBTIQ+ Expert Advisory
 Committee for the 2026 Census - Wednesday 3 April 2024.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Good evening S47F and DLOs

Please find attached brief for the meeting with the LGBTIQ+ Expert Advisory Committee for the 2026 Census, on Wednesday 3 April 2024.

DLOs - This record will also be assigned to you in PDMS.

Kind regards

S22

Director
 Parliamentary
 Legislative Compliance and Parliamentary Branch
 Corporate Services Division
Australian Bureau of Statistics

(P) S22 (M) S22
 (E) S22 @abs.gov.au

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EVENT / MEETING

MB24-000004

Meeting Title:	Meeting with LGBTIQ+ Expert Advisory Committee (EAC) for the 2026 Census	
To:	The Hon Dr Andrew Leigh MP Assistant Minister for Competition, Charities and Treasury	
Date:	Wednesday, 3 April, 3-4pm	
Attendees:	See Attachment A	
Venue:	Virtual – Microsoft Teams meeting	
Signature:	<p>.....</p> <p>The Hon Dr Andrew Leigh MP Assistant Minister for Competition, Charities and Treasury</p>	<p>...../...../.....</p> <p>Date</p>

Purpose of meeting

- To provide the ABS' LGBTIQ+ EAC with an opportunity to advise the Assistant Minister, the Hon Dr Andrew Leigh MP in advance of Government consideration of topics for the 2026 Census.
- Attendees are listed in [Attachment A](#).
- Meeting agenda is [Attachment B](#).

Key points

- The ABS established the LGBTIQ+ EAC for the 2026 Census to support the Census being conducted in an inclusive manner and support the consideration of potential topic changes important to the LGBTIQ+ community. The establishment of the EAC also satisfied commitments made by the ABS in the resolution of a complaint to the Australian Human Rights Commission (AHRC) in relation to the 2021 Census. The EAC is co-chaired by Bindi Kindermann, General Manager, People and Place Statistics at the ABS and S47F LGBTIQ+ Health Australia.
- The Committee has met three times since its establishment in September 2023. Committee members have also attended subgroups in their fields of expertise to discuss the results arising from cognitive testing and potential adjustments to questions in subsequent testing rounds. The ABS has benefitted from this expertise and has valued the engagement of EAC members in this evidence-based process. Members have also assisted the ABS with recruiting participants through their networks.
- Following public consultation, the ABS has assessed the topics of gender, sexual orientation and variations of sex characteristics as each having strong public value for inclusion in the Census. The ABS has conducted testing of questions to collect data on these topics, as well as testing changes to the sex question to collect 'sex recorded at birth'. The ABS has also tested changes to other questions that are of interest to the EAC including relationships in the household and the country of birth of parents.

Cleared by:	Bindi Kindermann, General Manager, People and Place Division	Contact officer:	S22 , Director Social Characteristics, People and Place Division
Date cleared:	27 March 2024	Contact number:	S22
Consultation: Nil			

- The ABS is currently assessing whether gender, sexual orientation and variations of sex characteristics topics will be recommended to the Australian Government for inclusion in the 2026 Census. ABS recommendations are expected to be made in May 2024.
- You have agreed to meet with the LGBTIQ+ Expert Advisory Committee in relation to your responsibilities with topics for the 2026 Census. This was also a commitment in the resolution of the AHRC complaint.
- S47C & S47E

Issues/sensitivities

- The ABS used the questions in its Standard for sex, gender, variations of sex characteristics and sexual orientation variables as the starting point for cognitive testing for the Census. The Standard was updated in 2021 after extensive research, testing and consultation with an expert reference group. The Standard currently specifies that the questions for sexual orientation and variations of sex characteristics are appropriate for self-reporting only (i.e. a respondent should not be asked to respond on behalf of others). The Census relies on self-reporting, with the vast majority of responses received on a household form that is completed by one member of the household.
- Testing of sexual orientation and variations of sex characteristics highlighted challenges and there is uncertainty whether these topics can be collected successfully in the 2026 Census. Participants reported difficulty in understanding the questions, the concepts and/or the response options.
- Working with the EAC, changes have been made to the question on sexual orientation to simplify the response options. The ABS is confident that this will work better in the Census context than the previous tested versions. The EAC have advised against simplification of the question on variations of sex characteristics, as any simplification is considered likely to lead to increased levels of false positives and/or false negatives.
- The Standard specifies that as a guide, the recommended age for asking the sexual orientation question in general demographic collections is 15 years and older. The ABS's cognitive testing for the Census has been testing the question for sexual orientation with participants aged 15 years and older, but has not yet determined if this will be the age recommended. The EAC will be consulted as part of this review.

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- There are some concerns from EAC members on other questions in the Census including household relationships, marital status and country of birth of parents. The ABS is testing changes to all of these questions to make these more inclusive, however there are views that the changes have not gone far enough. Decisions on question wording are made by the ABS.

Background

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- The ABS established the LGBTIQ+ Expert Advisory Committee for the 2026 Census in September 2023. Membership is comprised of organisations and individuals, with expert knowledge of LGBTIQ+ issues across such domains as legal and human rights, health and families, and research methodologies for LGBTIQ+ populations. The ABS has been open to expressions of interest in joining the Committee from people with relevant skills, experience and/or knowledge.
- The ABS is considering international experiences of the collection of these variables in a Census context and is engaging with international counterparts throughout the topic development process. Comparable countries collected the following topics in their last Census:
 - **New Zealand**, 2023 Census: sex at birth, gender, sexual orientation, variations of sex characteristics (via individual form)
 - **Scotland**, 2022 Census: sex, trans status, sexual orientation (via household form)
 - **Canada**, 2021 Census: sex at birth, gender (via household form)
 - **England and Wales**, 2021 Census; sex at birth, gender, sexual orientation (via household form)
 - **United States**, 2020 Census: sex (via household form).
- The 2021 Census allowed respondents to answer the sex question with the options of male, female, and non-binary sex. The 2021 Census did not include questions on gender or sexual orientation. An article providing analysis on non-binary sex responses in the 2021 Census was released on 27 September 2022. This analysis concluded that data collected from the non-binary sex category was not meaningful (it conflated gender, sexual orientation, and variations of sex characteristics).
- The ABS has used a set of criteria, based on international guidelines, to assess potential new or changed topics at each stage of the review process. This process identifies the topics that will provide the most value to the Australian community, while ensuring the Census is easy to complete and not seen as being too intrusive.

Attachments

Attachment A – Attendees

Attachment B – Meeting agenda

S47E & S47C

Attachment D – Terms of Reference for the LGTBTIQ+ Expert Advisory Committee for the 2026 Census

Attendees**LGBTIQ+ Expert Advisory Committee Members**

S47F

S47F, LGBTIQ+ Health Australia S47F

Bindi Kindermann

General Manager, People and Place Division, ABS (co-chair)

S47F

S47F, East Metropolitan Health Service, WA

S47F

S47F, Switchboard Victoria

S47F

S47F, Diversity Council Australia

S47F

S47F, Intersex Human Rights Australia

S47F

S47F, JC2 Athletics and disability advocate

S47F

S47F, School of Social and Political Sciences, University of Melbourne

S47F

Sex and Gender Section, Attorney General's Department

S47F

S47F, Community Health, ACON

S47F

S47F, Health Equity Branch, Australian Government Department of Health and Aged Care

S47F

S47F, The Kirby Institute, UNSW

S47F

S47F, Equality Australia

S47F

S47F, Public Interest Advocacy Centre

S47F

Black Lorikeet Cultural Brokering

S47F

S47F, ACT Government Office of LGBTIQ+ Affairs

S47F

S47F, SMART Recovery Australia

S47F

Royal Australian College of General Practitioners

S47F

S47F, Australian Human Rights Commission

S47F

School of Sociology, Australian National University

S47F

S47F, BlaQ Aboriginal Corporation

S47F

S47F, Australian GLBTIQ Multicultural Council

S47F

S47F, The Royal Children's Hospital Melbourne

ABS Observers

Duncan Young

General Manager, Census and Population Division, ABS

S47F

Director, Social Characteristics Section, ABS

S47F

Director, Census Content Development, ABS

**Meeting with the Hon Dr Andrew Leigh MP
Assistant Minister for Competition, Charities and Treasury.**

DATE AND TIME	WEDNESDAY 3 APRIL 2024 – 3:00PM TO 4:00PM (AEDT)
LOCATION	Virtual - Microsoft Teams meeting
CHAIR	[S47F], LGBTIQ+ Health Australia ([S47F] LGBTIQ+ Expert Advisory Committee for the 2026 Census)
PURPOSE	To provide the ABS' LGBTIQ+ EAC with an opportunity to advise the Assistant Minister, Hon Dr Andrew Leigh MP in advance of Government consideration of topics for the 2026 Census

AGENDA

#	Item	Discussion lead	Timing guide
1	Welcome and introductions	[S47F]	5 mins
2	Overview of the role and engagement with the LGBTIQ+ Expert Advisory Committee for the 2026 Census	Duncan Young	5 mins
3	Initial remarks from the Hon Dr Andrew Leigh MP	Hon Dr Andrew Leigh MP	5 mins
4	Key advice and questions the Expert Advisory Committee has for the Hon Dr Andrew Leigh MP	[S47F]	40 mins
5	Closing remarks from [S47F]	[S47F]	5 mins

S47E & S47C

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S47E & S47C

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Terms of Reference: LGBTIQ+ Expert Advisory Committee for the 2026 Census

Purpose and scope

The 2026 Census LGBTIQ+ Expert Advisory Committee (Committee) provides advice to the ABS on collection, compilation and release of data relating to sex, gender identity, variations of sex characteristics and sexual orientation in the 2026 Census.

The Committee's views will be sought on the following areas, in relation to the LGBTIQ+ people and the 2026 Census:

- development and testing of proposed new or changed content, including development of question wording
- community consultation
- testing of Census content, questions and procedures
- respectful, safe and accessible language
- instructions, supporting guidance and educational materials
- the processing and analysis of data
- the dissemination of data collected.

Membership

Members will be invited to participate to provide coverage across: the legal and human rights of LGBTIQ+ people; the families of LGBTIQ+ people; the health and wellbeing of LGBTIQ+ people; research methodology into LGBTIQ+ populations; and intersectionality and diversity within the LGBTIQ+ community.

Members must have experience in research, policy, program delivery, service provision and/or advocacy on issues related to LGBTIQ+ people. Individual representatives may also be included to provide personal perspective and lived experience.

The ABS intends for the Committee to exist until the first release of 2026 Census data, currently scheduled for June 2027.

The ABS may review the membership and role of the Committee to ensure the group continues to provide appropriate representation across regions and sectors. Advisors and observers may be invited to join as required.

Members who are representing an organisation and are unable to attend a meeting may nominate a delegate from within their organisation who meets the membership criteria to attend on their behalf by advising the Secretariat.

Role of members

Members are expected to:

- advise the ABS as set out under the 'Purpose and Scope' heading above
- act as representatives for their community/networks and consult with community (if relevant)
- review meeting materials prior to meetings
- actively contribute to the Committee's work at meetings
- treat material provided to the Committee as confidential unless advised otherwise
- facilitate broader communication and engagement between the ABS and stakeholders as required
- respond to issues out of session if requested
- advise the ABS of any existing or potential conflicts of interest¹ which may impact their role as a member of the Committee
- not undertake any media or communications activity related to the Committee without ABS permission
- where relevant, sign a deed of undertaking which outlines individual responsibilities when accessing sensitive or embargoed data/content.

Role of the ABS

ABS staff will participate in the Committee with the intent of working in partnership with the community on matters that are important to the community, in particular in making the 2026 Census as inclusive and as valuable to the LGBTIQ+ community as possible. Using the language of the [APS Framework for Engagement and Participation](#), ABS staff will look to work with the Committee to 'Deliberate' and 'Collaborate' on important issues, not just 'Share' and 'Consult'.

The ABS will:

- present to the Committee on agenda items and respond to questions and requests for further information
- complete assigned action items
- consider advice and input from the Committee, provide members with regular feedback on where and how their advice has been incorporated in decisions and communicate reasons in instances where advice has not
- provide secretariat functions including preparing meeting agendas, session briefs and meeting minutes
- provide members with regular feedback throughout the Census process and consult at key points, including how we best engage with LGBTIQ+ communities on progress.

¹ A conflict of interest is defined as any material or personal interest which could be, or could be perceived to be, in conflict with a member's role as part of the Committee (for example, if a Committee member is elected to represent a political party or elected politician). The ABS and the Chair will review conflicts of interest as they arise and determine the appropriate course of action.

Administrative Arrangements

Co-chairs

- The Committee will be co-chaired by a representative of the ABS and a representative from the group.

Committee activity

- The Terms of Reference and membership will be reviewed as required to ensure its validity and will be updated accordingly.
- Meetings of the Committee will generally be conducted virtually using Microsoft Teams. If / when meetings of the Committee are held in person, the ABS will make travel arrangements and meet the costs associated with travel.
- The Committee will convene as required in line with key Census project milestones.

Subgroups

- Subgroups may be established where required. Each will comprise members with specific expertise in the work stream or overarching expertise relevant to the topic.
- Members will be notified of the creation of a subgroup and the opportunity to be involved.
- Members of any subgroups may be members of the Committee or may be separately invited to contribute their expertise.

Secretariat

- Secretariat services will be provided by the ABS Sex, Gender and Families Statistics team. For enquiries email: sex.gender.statistics@abs.gov.au.
- Papers will be circulated to members at least one week prior to the meeting.

Relationship to other ABS Advisory Groups

The Committee is the primary forum from which the ABS seeks advice related to the variables Sex, Gender, Variations of Sex Characteristics and Sexual Orientation in relation to the 2026 Census.

The Sex, Gender and Families Statistics team may receive requests from internal ABS subject matter areas or ABS advisory groups with intersectional data requirements where they wish to liaise with members of the Committee for advice on certain topics in their program area, for example, Health statistics or the ABS Round Table on Aboriginal and Torres Strait Islander statistics.

The Sex, Gender and Families Statistics team will contact relevant members in the first instance for approval to pass on their contact details. Committee members are under no obligation to approve this request.



For Information

MS24-000006

Title:	Update on the 2026 Census Topic Consultation and Development Process	
To:	The Hon Dr Andrew Leigh MP Assistant Minister for Competition, Charities and Treasury	
Cc:	<i>The Treasurer, The Hon Dr Jim Chalmers MP</i> <i>Dr Steven Kennedy PSM, Secretary to the Treasury</i>	
Recommendation:	1. That you note the update on the planned steps in the 2026 Census topic review process and the update on ABS considerations for 2026 Census content. This information is being provided as background for a face-to-face briefing by the ABS on 21 February 2024.	
	Noted <input type="checkbox"/>	Please Discuss <input type="checkbox"/>
Signature:	<p>.....</p> <p>The Hon Dr Andrew Leigh MP Assistant Minister for Competition, Charities and Treasury</p>	<p>...../...../.....</p> <p>Date</p>

Executive summary

- This brief provides information on the process for finalising the 2026 Census topics ahead of a briefing on Wednesday 21 February 2024. It also provides an update on the ABS's current 2026 Census content directions (the previous update was provided in December 2023 in MS23-000052).
- The 2026 Census content is determined by:
 - Government decision on Census topics, specified in the *Census and Statistics Regulation 2016* and tabled in both houses of the Australian Parliament.
 - ABS decisions, under authority of the *Census and Statistics Act 1905*, to determine the questions that are used to collect data on the topics prescribed in the Regulation.
- Consistent with previous Censuses, the finalisation of the questionnaire for the public 2024 Major Census Test (by 1 March 2024) occurs in advance of ABS recommendations to Government (around May 2024) and the Government decision on Census topics (mid-2024). Also, the Government decision on Census topics occurs before the 2024 Major Census Test is conducted (10 September 2024). This timing is driven by immovable operational deadlines for the Census Test (updating the Census online form) and for the 2026 Census main event (printing of Census paper forms), alongside the timeline required for Government decision and updating of the Census Regulation.

Cleared by:	Brenton Goldsworthy, Deputy Australian Statistician, Insights and Statistics Group	Contact officer:	Duncan Young General Manager, Census and Population Statistics Division
Date cleared:	19 February 2024	Contact number:	522
Consultation: Two rounds of public consultation. Ongoing engagement with key stakeholders, including the ABS Round Table on Aboriginal and Torres Strait Islander Statistics and the ABS LGBTIQ+ Expert Advisory Committee, to inform question design and testing activities. Engagement with Department of Treasury on the process for updating <i>Census and Statistics Regulation 2016</i> .			

- The 2024 Major Census Test is a critical activity as it provides the last opportunity to test the Census questions, and the Census questionnaire, before print deadlines. This allows the ABS to confirm that new questions collect data of the expected quality, or to guide further refinement to questions and their placement on the form. Given the timing of the 2024 Major Census Test and Government decisions, it is important that the ABS includes all Census topics in this Test that may be included in the 2026 Census to ensure these are adequately tested.
- The ABS has been conducting cognitive and focus group testing of potential new Census topics. Testing of Sexual orientation and Variations of sex characteristics has highlighted challenges and there is uncertainty whether these topics can be collected successfully in the 2026 Census. The ABS may ultimately decide not to recommend these topics to Government for inclusion in the 2026 Census.
- Public communication and discussion of changes to Census content is unlikely to distinguish between the Census topic changes determined by Government and the Census question decisions determined by the ABS. This brief includes the current ABS considerations of question changes to give you an understanding of the whole package of change under consideration.

Key points

- The ABS has undertaken a significant and expanded consultation process as part of the 2026 Census topic review. For the first time this has included two phases of public consultation. The ABS has published information after each phase of public consultation on the submissions received and the shortlist of topics under consideration.
- Since the ABS’ last communication on the topic review process, [2026 Census topic review: Phase two directions](#), the ABS has continued to refine the shortlist of potential 2026 Census content changes following initial testing activities (see Table 1). [Attachment A](#) provides detail on the status of each topic shortlisted for change in December 2023.

Table 1: Content change being considered for 2026 Census at the end of each phase

Phase	New content for inclusion	Existing content for change ^(b)	Existing content for removal
Phase one outcome	12 topics	15 topics	5 topics
Phase two outcome	5 topics	12 topics	4 topics
Intended direction for 2024 Major Census Test ^(c)	3 topics	12 topics ^(d)	1 topic

S22

- (b) Existing topics may have more than one change.
- (c) Draft shortlist to inform the Minister on the direction. The decision for the 2024 Major Census Test will occur on 1 March 2024.
- (d) For some topics, the scope and/or number of changes considered has reduced following initial development and testing activities. This includes reduced scope to updates that improve the quality of data collected, as opposed to collecting new data.

- In this shortlist, the ABS has prioritised progressing new or enhanced content that meets priority data needs and will ensure that the Census is inclusive of all Australians. Consideration has also been given to the need for data comparability between Censuses, the burden on households and the available time and resources. The changes proposed are in keeping with the ABS plans to again deliver the Census at a reduced cost per capita than the previous Census.
- The ABS intends to include the topics in this shortlist in the 2024 Major Census Test, occurring in September 2024. The ABS needs to determine the content changes proceeding to the 2024 Major Census Test by 1 March 2024 to allow sufficient time for the implementation of changes into a secure electronic form for the test.
- The ABS currently has some concerns around the effectiveness of questions to collect Sexual orientation and Variations of sex characteristics. The ABS is continuing to explore options to improve question performance, and whether communication and engagement activities can address shortfalls, however, may ultimately decide to not recommend the inclusion of these topics in the 2026 Census. Even if a topic is not recommended for the 2026 Census, data from the 2024 Major Census Test will be an invaluable resource to further the development of these topics for future Censuses and other ABS and Government collections.

S22

Attachments

Attachment A – Summary of current ABS intention for content changes

S22

Attachment A – Summary of current ABS intention for content changes

Table 1: New content identified for potential inclusion at end of phase two consultation and review^(a)

Topic	ABS intended direction
S22	
Gender ^(b)	Proceeding to the 2024 Major Census Test.
Sexual orientation ^(b)	Proceeding to the 2024 Major Census Test.
Variations of sex characteristics ^(b)	Proceeding to the 2024 Major Census Test.
S22	

(a) Topics will require Government approval if the ABS chooses to recommend their inclusion in the 2026 Census.

(b) The ABS committed to reviewing these topics as part of the resolution of a complaint made to the Australian Human Rights Commission.

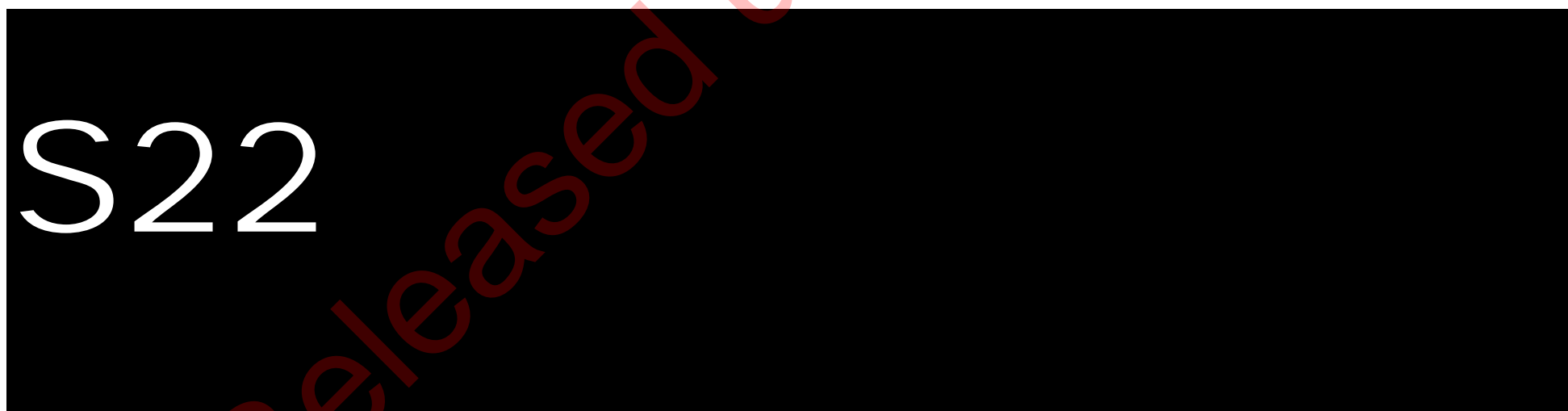


Table 3: Existing content identified for potential change at end of phase two consultation and review

Topic ^(b)	ABS intended direction
S22	[Redacted]
Sex ^(c)	Update question to specifically collect sex recorded at birth and update response options to improve data quality.
S22	[Redacted]

(b) Excludes other topics with minor changes that occur every Census to update question, response category and instructional text wording and to online supplementary questions (used to improve coding of Industry and Occupation topics).

(c) The ABS committed to reviewing these topics as part of the resolution of a complaint made to the Australian Human Rights Commission.

S22

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2026 Census Content Development Process

Key Issue

- The ABS has concluded preliminary testing of the topics under consideration for the 2026 Census and has shortlisted the topics to be included in a large-scale test, scheduled for September 2024 (Attachment A).
- The ABS will recommend any changes to the Census topics to Government in mid-2024 and will finalise Census questions in 2025.

S22

Talking Points

- The shortlist of topics for the large-scale test has been developed based on evidence gathered through extensive public consultation, feasibility assessments and preliminary testing activities.
- Inclusion in the 2024 Test does not mean that changes to topics will be recommended to the Australian Government or that the ABS has committed to implementing changes to questions for the 2026 Census.

S22

- The ABS will consider all available evidence from consultation, engagement and testing before deciding on the final question design for topics included in the 2026 Census.

Facts and Figures

- The large-scale test will include three new topics and changes to 12 existing topics.

S22

Background

- The Government decides on the topics collected in the Census. These are specified in the *Census and Statistics Regulation 2016* and tabled in both houses of the Australian Parliament.
- The ABS, under authority of the *Census and Statistics Act 1905*, decides the questions that are asked to collect data on all topics prescribed in the Regulation.
- There is limited capacity to add new topics without removing others. Capacity is limited by the space on the paper form, the burden on households and the cost of processing additional information.
- The ABS undertakes public consultation to ensure the Census reflects contemporary society and emerging data needs.
- The ABS considers requests for new or changed topics as well as reviewing existing topics against a set of criteria. These criteria have been informed by the United Nations Principles and Recommendations for Population and Housing Censuses. The criteria are:
 1. The topic is of current national importance.
 2. There is a need for data at the national level, and either the local level or for small population groups.
 3. There is likely to be a continuing need for data on the topic following the Census.
 4. There are no other suitable alternative data sources or solutions that could meet the topic need.
 5. Data on the topic can be collected efficiently.
 6. A representative of the household would be willing and able to answer questions on the topic for each member of the household.

S22

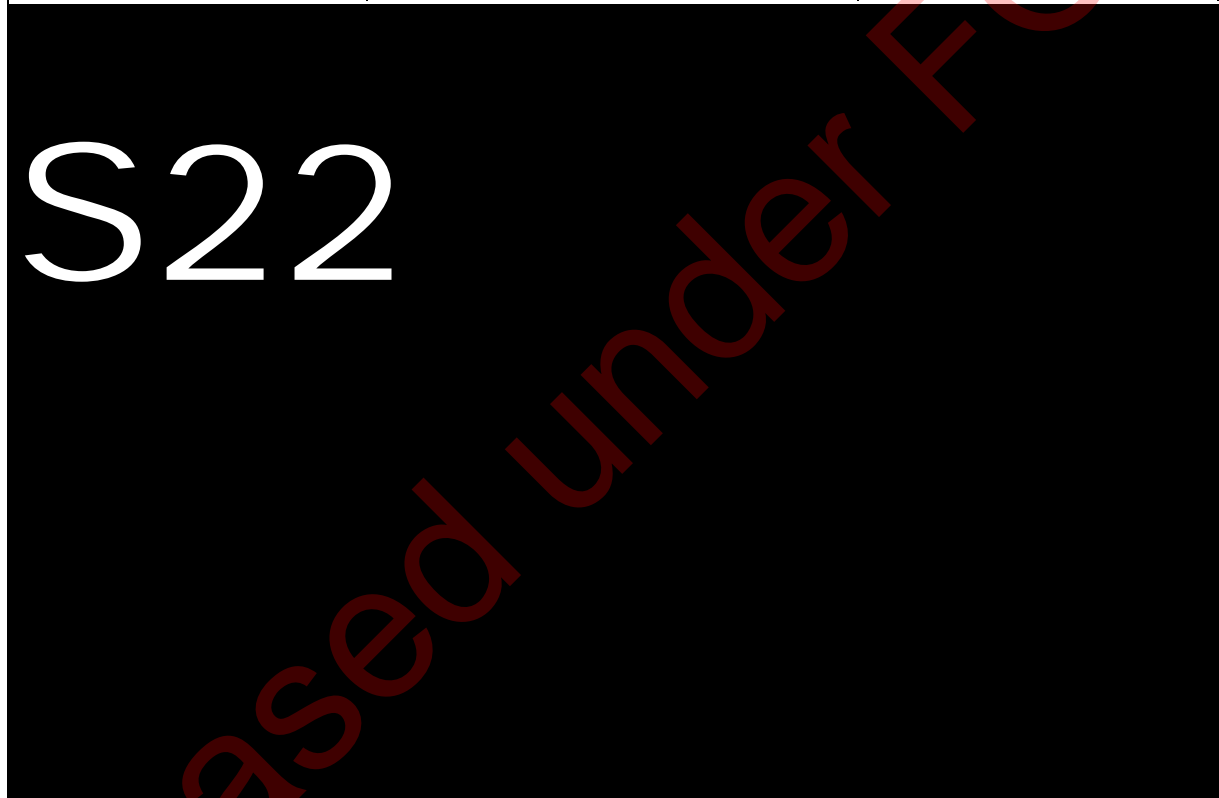
S22

- The final topics and question for the 2026 Census will be published on the ABS website in late 2025.

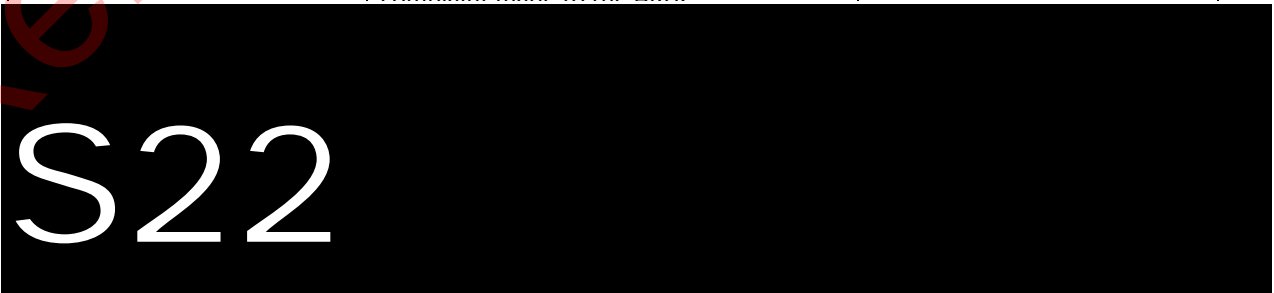
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Attachment A – Content changes included in the 2024 Test

Potential content changes that would require Government approval ^(a)		
Topic	Change	Driver
Gender	New	Data need / Improve quality of sex data / inclusivity [■]
S22		
Sexual orientation	New	Data need / Inclusivity [■]
Variations of sex characteristics	New	Data need / Inclusivity [■]
Planned content enhancements that would not require Government approval		
Topic	Change	Driver



Sex	Update question to specifically collect sex recorded at birth and update response categories, the latter in keeping with commitment made in resolution of a complaint made to the ARHC	Data quality and inclusivity [■]
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S22

S22 > Gender Question

Gender Question

Like | Updated today at 09:20 by S22 | Tags: *None*

SCREENS

S22

Gender

Displayed if Age > 18

Released under FOIA Act

What is John's gender?

Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.

- Man
- Woman
- Non-binary
- John uses another term (please specify)
- Prefer not to answer

What is John's gender?

Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.

- Man
- Woman
- Non-binary
- John uses another term (please specify)
- Prefer not to answer

Displayed if Age > 9 and <18

What is John's gender?

Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.

- Man or Boy
- Woman or Girl
- Non-binary
- John uses another term (please specify)
- Prefer not to answer

What is John's gender?

Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.

- Man or Boy
- Woman or Girl
- Non-binary
- John uses another term (please specify)
- Prefer not to answer

Displayed if Age < 9

What is John's gender?

Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.

- Boy
- Girl
- Non-binary
- John uses another term (please specify)
- Prefer not to answer

What is John's gender?

Gender refers to current gender, which may be different to sex recorded at birth and may be different to what is indicated on legal documents.

- Boy
- Girl
- Non-binary
- John uses another term (please specify)
- Prefer not to answer

Comments

There are no comments.

S22

S22 > Sexual Orientation Question

Sexual Orientation Q

Like | Updated 24/07/2024 by S22 | Tags: *None*

SCREENS

S22

Sexual Orientation

Displayed when Age is ≥ 15

Released under FOIA Act

How does John describe their sexual orientation?

- Straight
- Gay or Lesbian
- Bisexual
- Uses another term (please specify)
- Don't know
- Prefer not to answer

How does John describe their sexual orientation?

- Straight
- Gay or Lesbian
- Bisexual
- Uses another term (please specify)
- Don't know
- Prefer not to answer

Comments

There are no comments.

S22

S22 > Variation of Sex Characteristics Question

Variation of Sex Characteristics Question

| Updated 24/07/2024 by S22 | Tags: *None*

SCREENS

S22

Intersex

Displayed when Age is ≥ 15

Has John been told they were born with a variation of sex characteristics (sometimes called 'intersex' or 'differences of sex development')?

This question refers to innate reproductive development, genetics, or hormones that do not fit the medical norms for female or male bodies.

These specific characteristics may be noticed at birth, or develop in puberty.

- Yes
- No
- Don't know
- Prefer not to answer

Comments

There are no comments.