

Complaint to the Australian Human Rights Commission

Key Issue

The ABS is working with its newly formed LGBTIQ+ Expert Advisory Committee to test new topics about the LGBTIQ+ community for potential inclusion in the 2026 Census. This follows the successful resolution in August 2023 of an Australian Human Rights Commission (AHRC) complaint lodged against the ABS in relation to the 2021 Census.

Talking Points

- The ABS has established an Expert Advisory Committee of representatives of LGBTIQ+ community organisations and other experts for the 2026 Census. The committee will provide advice on topics and questions for the 2026 Census; educational materials, and the processing, analysis and dissemination of data obtained in the 2026 Census.
- The Expert Advisory Committee has met twice – on 28 September and 1 December 2023.
- Subgroups with particular expertise have been formed and are providing advice during Census content testing for the four topics being considered for inclusion in the 2026 Census. These are sex at birth, gender, sexual orientation, and variations of sex characteristics. Additional subgroups will be formed in 2024 to support planning for the collection, processing and dissemination of any new data collected.

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Background

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- The ABS will continue to refine the shortlist of potential content changes during the development and testing stage, prior to making a recommendation to Government for their decision in mid-2024.

Complaint to the Australian Human Rights Commission

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Talking Points

- ABS is looking forward to working with the LGBTIQ+ community on the 2026 Census, following the successful resolution of a complaint made to the AHRC in relation to the 2021 Census.
- The ABS has established an expert advisory committee of representatives of LGBTIQ+ community organisations and other experts for the 2026 Census. The committee will provide advice on topics and questions for the 2026 Census; educational materials, and the processing, analysis and dissemination of data obtained in the 2026 Census.
- The expert advisory committee had its first meeting on 28 September 2023.

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Establishment of an Expert Advisory Committee

1. ABS will establish an expert advisory committee of appropriately qualified LGBTIQ+ representatives for the 2026 Census.
2. ABS will establish terms of reference for the expert advisory committee which, subject to consultation with the expert advisory committee, will set out that the expert advisory committee can provide advice on:
 - a. topics and questions for the 2026 Census;
 - b. educational materials; and
 - c. processing, analysis and dissemination of data obtained in the 2026 Census.
3. ABS will invite the Complainants to be members of the expert advisory committee.
4. ABS will also invite to participate in the expert advisory committee representatives of LGBTIQ+ community organisations and experts, including with relevant knowledge as to the following:
 - a. the legal and human rights of LGBTIQ+ people;
 - b. the families of LGBTIQ+ people;
 - c. the health and wellbeing of LGBTIQ+ people;
 - d. research methodology into LGBTIQ+ populations; and
 - e. intersectionality and diversity within the LGBTIQ+ community.
5. The ABS will cover costs incurred by members while travelling (if required) to participate in the expert advisory committee, within reasonable parameters as set by the ABS. Participation in the expert advisory committee will otherwise not attract remuneration from the ABS.
6. The Assistant Minister for Competition, Charities and Treasury the Hon Dr Andrew Leigh MP has agreed to meet with the expert advisory committee in relation to his responsibilities with topics for the 2026 Census.

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12. The ABS will work with the 2026 Census LGBTIQ+ Expert Advisory Committee to determine the best way to process and disseminate data on non-binary persons in the 2026 Census.

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Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables

KEY MESSAGE

- The ABS has established an expert advisory committee of representatives of LGBTIQ+ community organisations and other experts for the 2026 Census. The committee will provide advice on: topics and questions for the 2026 Census; educational materials for respondents; and the processing, analysis and dissemination of data collected.
- New topics of gender, sexual orientation and variations of sex characteristics have proceeded to testing for potential inclusion in the 2026 Census. The ABS is also testing changes to the sex question to collect 'sex recorded at birth'.

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KEY FACTS AND FIGURES

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- 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 identity 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).

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Office Responsible	The Hon Dr Andrew Leigh MP		
Contact Officer	Sybille McKeown	Contact Number	(07) 3222 6400
Division responsible	People and Place Division	Date of Update	01 November 2023

Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables

- The first meeting of the LGBTIQ+ Expert Advisory Committee was held on 28 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.

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Office Responsible	The Hon Dr Andrew Leigh MP		
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Australian Human Rights Commission - Complaint on ABS and Office of the Assistant Treasurer

KEY MESSAGE

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- The ABS committed to establishing a LGBTIQ+ Expert Advisory Committee for the 2026 Census and developing educational, promotional and support materials. The first meeting of the Committee was held on 28 September.

KEY FACTS AND FIGURES

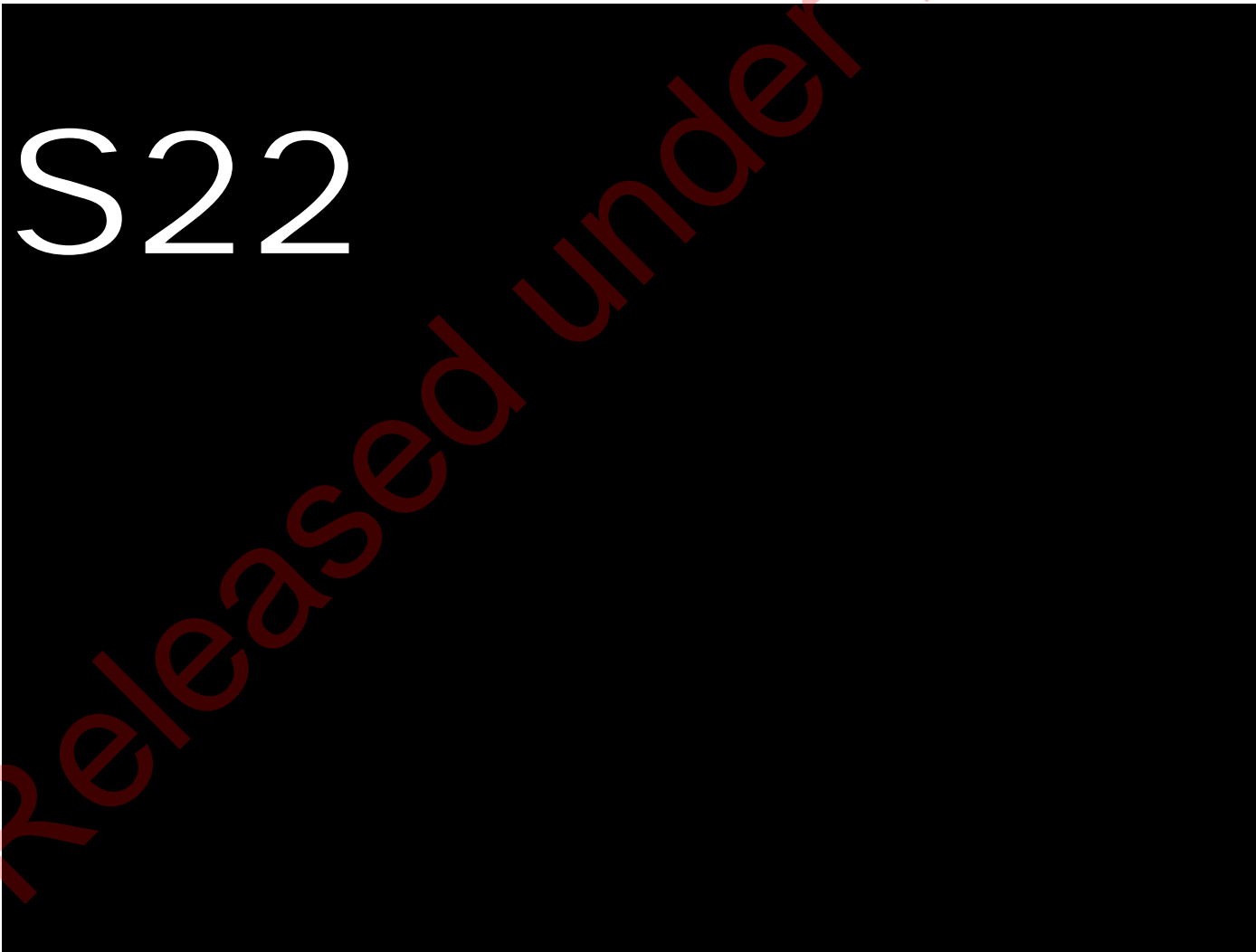
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- The ABS committed to setting up a LGBTIQ+ Expert Advisory Committee for the 2026 Census and developing educational, promotional and support materials.

Office Responsible	The Hon Dr Andrew Leigh MP		
Contact Officer	Duncan Young	Contact Number	S22 [REDACTED]
Division responsible	Census and Population Division	Date of Update	03 October 2023

Australian Human Rights Commission - Complaint on ABS and Office of the Assistant Treasurer

- The first meeting of the LGBTIQ+ Expert Advisory Committee was held on 28 September 2023. The committee will provide advice on topics and questions, educational materials, and the processing, analysis and dissemination of data for the 2026 Census.
- The Assistant Minister for Competition, Charities and Treasury the Hon Dr Andrew Leigh MP has agreed to meet with the Committee in relation to his responsibilities with topics for the 2026 Census.
- The ABS has invited organisations and individuals to participate in the Committee with knowledge of: 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. The ABS has been open to expressions of interest in joining the Committee from people with relevant skills, experience and/or knowledge.



Office Responsible	The Hon Dr Andrew Leigh MP		
Contact Officer	Duncan Young	Contact Number	S22 [REDACTED]
Division responsible	Census and Population Division	Date of Update	03 October 2023



For Information

MS23-00052

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 outcomes from Phase two of the 2026 Census topic review process that will be published on Tuesday 12 December 2023.	
	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 an update on the 2026 Census topic review process, including changes that the ABS is no longer considering and potential content changes still under investigation.
- The ABS will make a recommendation on the 2026 Census topics to the Australian Government in mid-2024.

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Key points

- The ABS has refined the shortlist of content changes being considered for the 2026 Census. This is based on submissions from the second phase of public consultation, a preliminary assessment of collection feasibility, and initial focus group and cognitive interview testing.
- The refined shortlist includes five new topics, 12 enhancements to existing topics and four topics still being considered for removal at [Attachment A](#). The topic changes which are no longer being considered for the 2026 Census are included in [Attachment B](#).

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Cleared by:	Brenton Goldsworthy Deputy Statistician, Insights and Statistics Group	Contact officer:	Duncan Young General Manager, Census Division
Date cleared:	22 November 2023	Contact number:	522
Consultation:	Public consultation on topics proposed for inclusion, change or removal. Engagement with key stakeholders, including the ABS Round Table on Aboriginal and Torres Strait Islander Statistics and ABS LGBTIQ+ Expert Advisory Committee, to confirm data needs for topics as required. Engagement with key data users of the Number of children ever born topic prior to final decision to recommend removal.		

- Based on its investigations to date, the ABS anticipates that the 2026 Census could have the largest enhancement to content since 2006. This reflects limited content change between 2006 and 2021, the increased value being realised from Census data through data linkage, and the need for the Census to be inclusive of all Australians. The ABS and Government need to balance the public benefit of changes against the cost of collection, the impact on data comparability between Censuses and the burden on Australian households completing the Census. Due to this, there are still topics with strong public value that are unable to be included in the 2026 Census.

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- If the topics of Gender, Sexual orientation and/or Variations of sex characteristics are included in the 2026 Census, the ABS will request additional funding to implement a targeted engagement and communications campaign.²

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- On Tuesday 12 December 2023, the ABS will release the outcomes of the second phase of public consultation and review, including the content changes still under consideration for inclusion, change or removal, and the intention to recommend the decennial collection of number of children ever born.
- The ABS will continue to refine the shortlist of potential content changes during the development and testing phase, prior to making a recommendation to Government in mid-2024.

Issues/sensitivities

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² This approach has been recommended to by the ABS' LGBTIQ+ Expert Advisory Committee to maximise the quality of data collected from the community and was the approach taken by New Zealand when they introduced these topics in their 2023 Census.

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Background

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- The ABS conducted a two-phase consultation process on the topics to be included in the 2026 Census to ensure the 2026 Census reflects contemporary society and emerging data needs. Phase one provided the ABS with an understanding of information needed, but not currently collected. Phase two involved consultation on topics being considered for inclusion, change or removal.
- Following the first phase of consultation, the ABS assessed the public value of all topic requests and shortlisted 12 new topics and identified potential changes to 16 existing topics. Four existing topics were identified for potential removal from the 2026 Census.
- The ABS [published these outcomes](#) on the ABS website on 27 July 2023, and invited feedback on shortlisted topics during the second phase of consultation. You were briefed on the outcome of the first phase of public consultation on 25 July 2023 (MS23-000022).

- The second phase of public consultation closed on 8 September 2023. A total of 197 submissions were received. The ABS has also engaged extensively with key government and non-government stakeholders to clarify data needs where required.⁴
- Topics were then assessed as to whether the Census is the most appropriate mode of collection. The ABS then refined the shortlist of topics to those with the strongest case for inclusion or change when balancing public value and feasibility.
- ABS will make a recommendation on 2026 Census topics to the Australian Government in mid-2024. Any changes to content included in this recommendation will have undergone sufficient initial testing to provide confidence they can be successfully implemented in the 2026 Census. Following Government decision, the Census and Statistics Regulation 2016 will be amended and tabled in both houses of the Australian Parliament.
- The ABS has the authority under the *Census and Statistics Act 1905* to determine the questions that are used to collect data on the topics prescribed in the Regulation. Some enhancements being considered for the 2026 Census do not require a change to the topic in the Regulation. The ABS will engage the Australian Government Solicitor to determine whether an enhancement requires a change to the Regulation prior to making the recommendation to Government.

Attachments

Attachment A - Summary of topic changes still being considered following phase two consultation and review

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⁴ This engagement includes the LGBTIQ+ Expert Advisory Committee and the Round Table on Aboriginal and Torres Strait Islander Statistics.

Attachment A: Summary of topic changes still being considered following phase two consultation and review

Five potential new topics are still being considered as part of the 2026 Census topic review process (Table 1). The topics of Gender, Sexual orientation and Variations of sex characteristics have proceeded to cognitive testing.⁵

Changes to 12 existing topics have proceeded to further development and testing (Table 2). Change to existing topics are primarily about the questions used to collect this data, and are unlikely to need a change to the Regulation and are determined by the ABS.

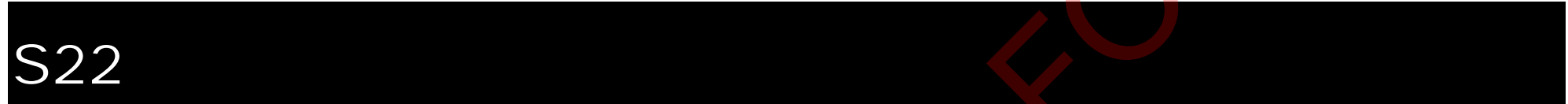


Table 1: New topics being considered further

Priority	Topic	Comments
Priority 1	S22	
	Gender	Has proceeded to testing.
	Sexual orientation	Has proceeded to testing.
	Variations of sex characteristics	Has proceeded to testing.
Priority 2	S22	

⁵ Cognitive testing, or cognitive interviewing, is used in questionnaire design to explore respondents' understanding and interpretation of survey questions, response options and instructional text. It provides an indication of the ability and willingness of respondents to answer for themselves and on behalf of other people in their household.

Table 2: Changes to existing topics being considered further

Priority	Topic	Proposed change
Priority 1	S22	
	Sex	Improve data quality by specifically collecting sex recorded at birth and updating response categories.
Priority 2	S22	
Under consideration		

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- b. The need to also collect sex and/or gender of the parent was considered and included engagement with key data users. No strong use case was identified to collect this additional information.

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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

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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 <u>Attachment A</u>	
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

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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

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S47F, The Kirby Institute, UNSW

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S47F, Equality Australia

S47F

S47F, Public Interest Advocacy Centre

S47F

Black Lorikeet Cultural Brokering

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S47F, ACT Government Office of LGBTIQ+ Affairs

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S47F, SMART Recovery Australia

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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

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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.

EC23-000361

Sex and Gender, Variations of Sex Characteristics and Sexual Orientation Variation

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Talking Points

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- The ABS has established an expert advisory committee of representatives of LGBTIQ+ community organisations and other experts for the 2026 Census. The committee will provide advice on:
 - topics and questions for the 2026 Census
 - educational materials for respondents, and
 - the processing, analysis and dissemination of data obtained in the 2026 Census.

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General Manager Responsible: Bindi Kindermann

Division: People and Place

Contact Officer: Sybille McKeown

Telephone: Work (07) 3222 6400 / Mobile [REDACTED]

EC23-000361

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- The first meeting of the LGBTIQ+ Expert Advisory Committee was held on 28 September. 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.

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