

S22

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S22

From: [REDACTED]@TREASURY.GOV.AU>
Sent: Tuesday, April 2, 2024 2:33 PM
To: Duncan Young <Duncan.Young@abs.gov.au>
Cc: [REDACTED]@abs.gov.au>; Bindi Kindermann <Bindi.Kindermann@abs.gov.au>; [REDACTED]@abs.gov.au>
Subject: RE: Question re EAC / AM meeting [SEC=OFFICIAL]

CAUTION: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Hi Duncan

Thanks for the clarification and further information – thank you.

S22

Thanks,

[REDACTED]

OFFICIAL

From: Duncan Young <Duncan.Young@abs.gov.au>
Sent: Tuesday, April 2, 2024 1:24 PM
To: [REDACTED]@TREASURY.GOV.AU>
Cc: [REDACTED]@abs.gov.au>; Bindi Kindermann <Bindi.Kindermann@abs.gov.au>; [REDACTED]@abs.gov.au>
Subject: Question re EAC / AM meeting [SEC=OFFICIAL]

Hi [REDACTED]

I've logged in and have the brief in front of me now, and reflected on the EAC point re the standard:

"The previous Government committed to the inclusion of the 2020 Standard on Sex, Variations of Sex Characteristics and Sexual Orientation being included in all Government funded Health and Wellbeing

studies. Have you been briefed on these studies and the important data that we are now starting to have access to?"

What we discussed re the ABS is completely accurate – we have implemented the standards in household surveys. The number of variables included depends on the amount of time available in the survey to ensure that the questions can be asked and answered suitably. The National Health Survey and the National Mental Health Survey include questions on Sex at birth, Gender, Variations of sex characteristics and Sexual orientation. The 2022 Survey of Disability, Ageing and Carers includes Sex at birth, Gender and Sexual orientation.

I mentioned the article we released on [Mental health findings for LGBTQ+ Australians | Australian Bureau of Statistics \(abs.gov.au\)](#). It is worth noting thought that the inclusion of questions in ABS surveys is not a decision for Government, and these decisions were made by the ABS.

I am not sure of whether there was a Government commitment more broadly in relation to this – [REDACTED] or team may be aware. There are health and wellbeing studies not undertaken by the ABS, and thus this point might be broader than ABS. For example (this Government) of a consultation undertaken last year by National Health and Medical Research Council on the use of the ABS Standard - [Statement on Sex, Gender, Variations of Sex Characteristics and Sexual Orientation in Health and Medical Research | NHMRC](#).

I don't think this changes AM's likely talking points...

- Awareness of the Standard, developed by ABS with the LGBTQ+ community incl members of this group
- Awareness of implementation of the Standard in ABS surveys and have seen the release of some results of these surveys, incl recent mental health findings for LGBTQ+ Australians
- Awareness of need for work to adapt/extend the Standard for potential use in the Census – and that EAC have been assisting ABS with this.

Don't hesitate to reach out if you have further questions.

Kind regards,
Duncan

Duncan Young (he / him)
General Manager
Census and Population Division
Australian Bureau of Statistics
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(E) duncan.young@abs.gov.au (W) www.abs.gov.au

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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 <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

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

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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.

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From: S22
Sent: Thursday, 2 May 2024 11:05 PM
To: S47F ; S47F ; S47F
Cc: Leigh DLO; S22 ; Duncan Young; Denise Carlton; census.content@abs.gov.au; S22
Subject: 2026 Census Content - S22 and updated Topic Status pack
Attachments: 2026 Census topic update for Ministers Office (May 2024).docx; S22
 S22 ; S22
 S22

Hi S47F, S47F and S47F,

I have attached the following documents:

S22

3. Update to the 2026 Topic Status document we sent last month S22

S22

Other updates:

S22

Please let me know if you have any questions or comments on the above.

Thanks

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Director – 2026 Census Content
Population Statistics Branch | Australian Bureau of Statistics

The Australian Bureau of Statistics acknowledges the traditional custodians of country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respects to them and their cultures, and elders, both past, present and emerging.

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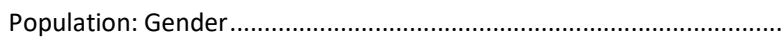


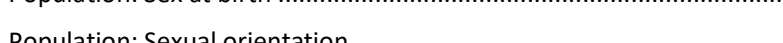
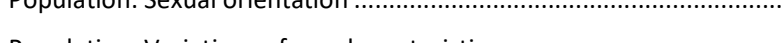
ABS package for Minister's Office

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 LGBTQ+ 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>	<p><input type="checkbox"/> Male</p> <p><input type="checkbox"/> Female</p> <p><input type="checkbox"/> Non-binary sex</p>
--	--

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"/> 	<p><input type="checkbox"/> Male</p> <p><input type="checkbox"/> Female</p> <p><input type="checkbox"/> Another term</p>
---	--

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
--	---

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.



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.

Georgia Chapman

From: Georgia Chapman
Sent: Monday, 15 April 2024 4:19 PM
To: S47F; Duncan Young
Cc: Mark Harding; S22
Subject: RE: Re-occurring meeting and stakeholders [SEC=OFFICIAL]
Attachments: 2026 Census Topic Update for Ministers Office (April 2024).docx; S22

S22

Hi S47F,

I have attached some documents that should provide the information you have requested:

- The 2026 Census Topic Update provides further detail on the status of the questions you flagged of interest a couple of weeks ago S22



S22

Cheers
Georgia

Georgia Chapman (she/her)
A/g Program Manager, Population Statistics Branch | Australian Bureau of Statistics

(P) (03) 6222 5741
(M) S22
(E) georgia.chapman@abs.gov.au **(W)** www.abs.gov.au

Executive assistant: S22 **(P)** S22 **(E)** S22 [@abs.gov.au](mailto:S22@abs.gov.au)

The Australian Bureau of Statistics acknowledges the traditional custodians of country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respects to them and their cultures, and elders, both past, present and emerging.

From: S47F <S47F@TREASURY.GOV.AU>
Sent: Tuesday, April 9, 2024 6:13 PM
To: Duncan Young <Duncan.Young@abs.gov.au>
Cc: Mark Harding <Mark.Harding@abs.gov.au>; Georgia Chapman <Georgia.Chapman@abs.gov.au>
Subject: RE: Re-occurring meeting and stakeholders [SEC=OFFICIAL]

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OFFICIAL

Hi Duncan

S22

I do wonder if the easiest touch point for understanding the ABS engagement through the Census development process is having a list organisations who you have had 1-1 or group conversations/consultations with – but it will be good to hear your thoughts.

Best,

S47F

S47F — Adviser

Office of The Hon Dr Andrew Leigh MP
Assistant Minister for Competition, Charities and Treasury
Assistant Minister for Employment

M S47F

R2.108, Parliament House, Canberra, ACT 2600

The Treasury acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders both past and present.

OFFICIAL

From: Duncan Young <Duncan.Young@abs.gov.au>
Sent: Monday, April 8, 2024 10:02 PM
To: S47F <S47F@TREASURY.GOV.AU>
Cc: Mark Harding <Mark.Harding@abs.gov.au>; Georgia Chapman <Georgia.Chapman@abs.gov.au>
Subject: RE: Re-occurring meeting and stakeholders [SEC=OFFICIAL]

Hi S47F,

S22

For the second question, I'll discuss with Georgia what we can do. The 'list of groups consulted with' could be narrow – people we have had one on one meetings with – or quite broad – people we have sought views or people that we have had some interaction with.

To give some context... the consultation and review process has incorporated

- input from some submissions from the 2021 Census consultation.
- correspondence received by the Australian Statistician and Ministers since the 2021 Census topic consultation process closed in June 2018.
- feedback and outcomes of ABS consultations and statistical standard reviews, including on Religious Affiliation and Family Standards.
- formal submissions in phase 1 and phase 2 of the 2026 consultation process.

The review process has been promoted through emails, media releases, social media advertising and webinars. A number of meetings have been held with interested parties and advisory / governance groups – including the Australian Statistical Advisory Council, the Round Table for Aboriginal and Torres Strait Islander people and the Census Executive Board.

S22

Kind regards,
Duncan

From: [REDACTED] <[REDACTED]@TREASURY.GOV.AU>
Sent: Monday, April 8, 2024 10:39 AM
To: Duncan Young <Duncan.Young@abs.gov.au>
Subject: Re-occurring meeting and stakeholders [SEC=OFFICIAL]

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Hi Duncan

S22

I also wanted to ask if you could share a list of groups you have consulted with as part of the census development process, across all questions? As correspondence increases on the Census, it would be useful to understand the extent of consultation, in anticipation of future engagement.

As usual, let me know if you have any questions or concerns.

Kind regards,

[REDACTED]

[REDACTED] — **Adviser**
Office of The Hon Dr Andrew Leigh MP
Assistant Minister for Competition, Charities and Treasury
Assistant Minister for Employment

M [REDACTED]
R2.108, Parliament House, Canberra, ACT 2600

The Treasury acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders both past and present.

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ABS package for Minister's Office

2026 Census – Topic update

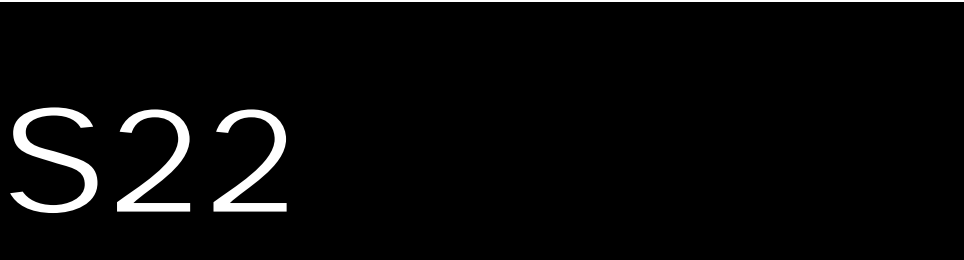
April 2024


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Contents

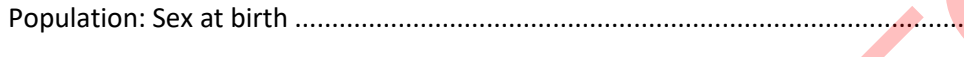
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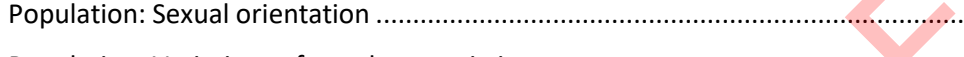
Key points on status of topics in this document..... 3

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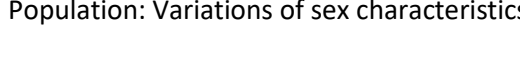
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Population: Gender 12

 13

Population: Sex at birth 14

Population: Sexual orientation 15

Population: Variations of sex characteristics 16

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.

S22

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.

S22

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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.

S22


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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>	<p><input type="checkbox"/> Male</p> <p><input type="checkbox"/> Female</p> <p><input type="checkbox"/> Non-binary sex</p>
--	--

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"/> 	<p><input type="checkbox"/> Male</p> <p><input type="checkbox"/> Female</p> <p><input type="checkbox"/> Another term</p>
---	--

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:

Straight
 Gay or Lesbian
 Bisexual
 Uses another term (specify)
 Don't know
 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
--	---

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.



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.
- The ABS is liaising with the Department of Treasury on the timing for its recommendation to Government to ensure sufficient time for Government deliberation and decision. This timing will depend on the process the Government chooses to use to make its decision. Following Government decision, Treasury will commence the process to update the *Census and Statistics Regulation 2016*. This will involve public consultation on the draft Regulation. [REDACTED]

S22 [REDACTED]

Attachments

Attachment A – Summary of current ABS intention for content changes

S22 [REDACTED]

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.

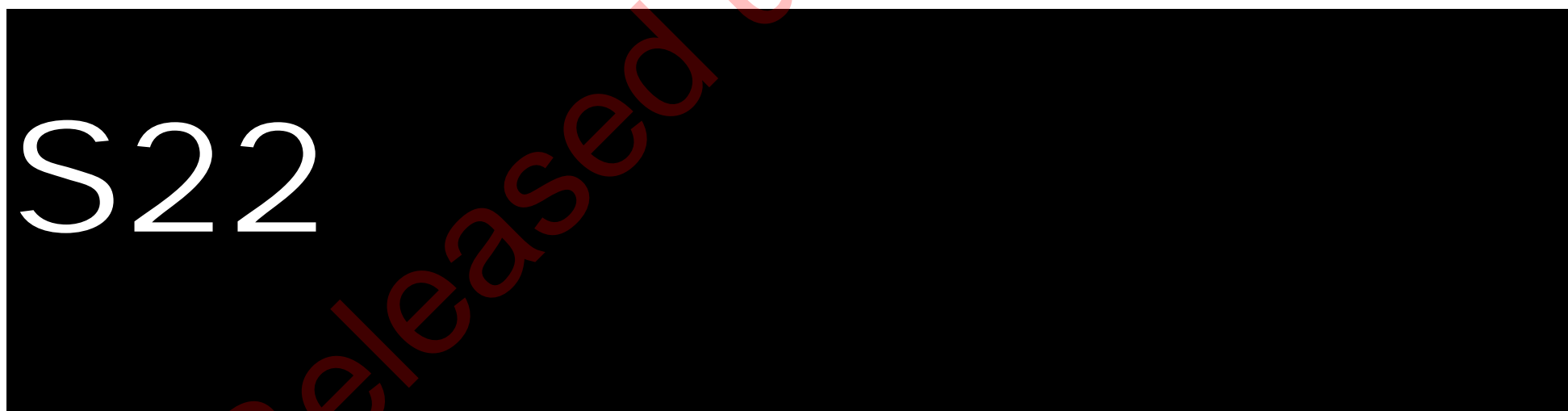


Table 3: Existing content identified for potential change at end of phase two consultation and review

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

On 12 December 2023, the ABS published the outcomes from the second phase of public consultation on topics for the 2026 Census, including the content changes still under consideration for addition, change or removal.

Talking Points

- The ABS has shortlisted 5 new topics and 12 existing topics to proceed to the development and testing stage of the topic review process. These topics are across a range of themes ([Attachment A](#)). Seven new topics are no longer being considered for the 2026 Census ([Attachment B](#)).

S22

S22

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- The ABS engages with a wide range of stakeholders throughout the topic review process. This has included establishing the LGBTIQ+ Expert Advisory Committee S22

S22

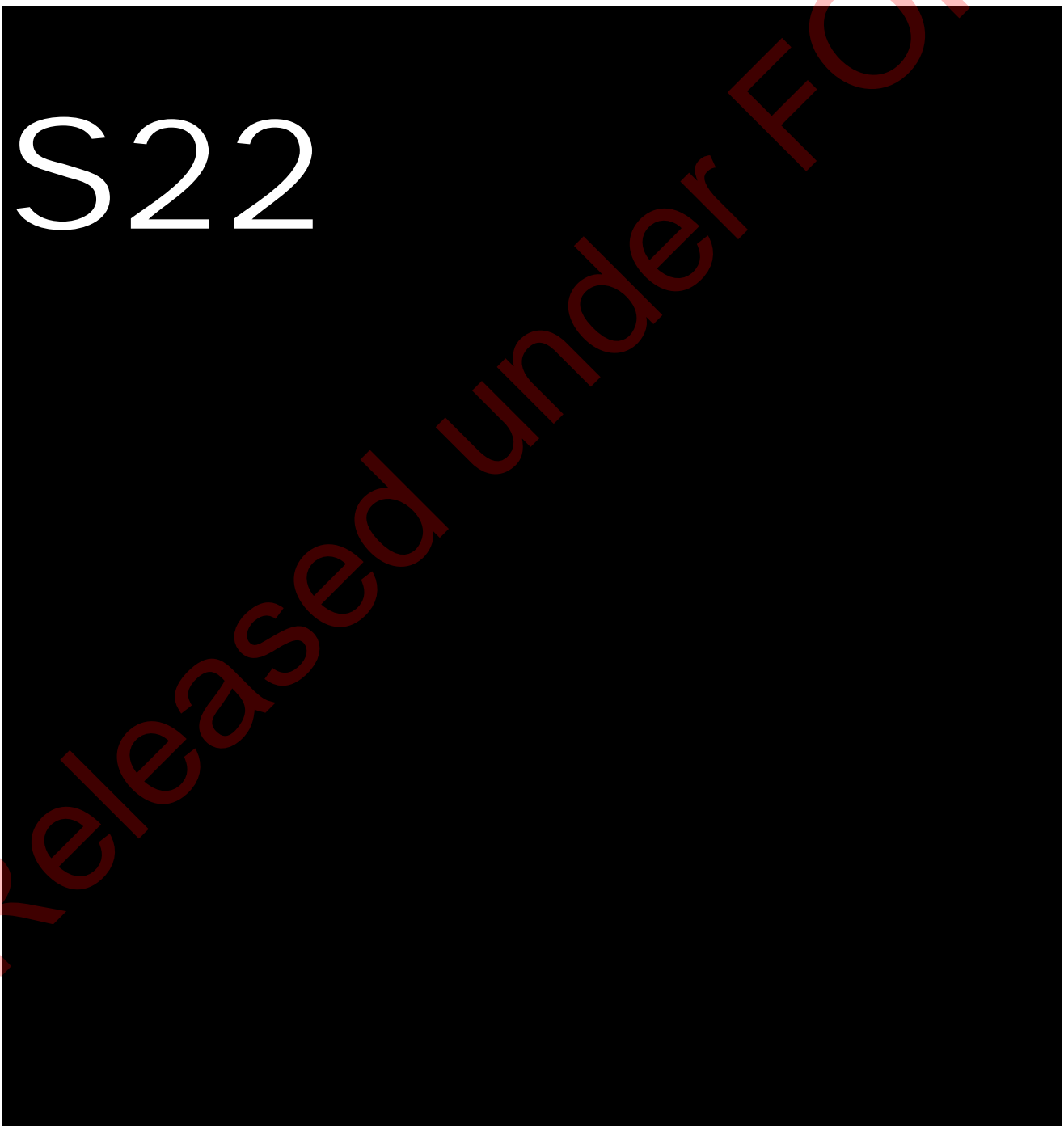
S22

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Attachment A: Status of content changes that remain under consideration for the 2026 Census

New topics under consideration for the 2026 Census

Theme	Topic
S22	
Population	Gender
	Sexual orientation
	Variations of sex characteristics



S22

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S22

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S22

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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.

S22

S22

Background

S22

- 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.

S22

From: S22
Sent: Wednesday, 6 March 2024 6:59 AM
To: S47F; S47F
Cc: S22; Duncan Young; census.content@abs.gov.au
Subject: FYI Paper form used in Cognitive Testing
Attachments: 2026_Census_HHF_Testing_R5_V4.pdf

Good morning both,

S22. As requested, I have attached the paper form used for the round of cognitive testing last month for your information. There are two caveats with this form:

1. These are not necessarily how the questions will look in the 2024 Test. E.g. Sexual orientation will have fewer response categories in the 2024 Test as the question tested best where there were less options for people to read.
2. We do give the same attention to detail in the mock-ups for the cognitive testing as the questions can change quite dramatically round to round depending on how things test and its futile to get everything perfectly spaced when there is uncertainty about the final design. As such, there are odd looking things with spacing and we haven't engaged a proofreader to check it, like we do for the large tests and main event.

Given it is a mock-up from a point in time in our testing, it would be appreciated if this was not circulated more broadly

Have a great day

S22

S22

Director – 2026 Census Content
Population Statistics Branch | **Australian Bureau of Statistics**

(P) S22
(M) S22
(E) S22 [@abs.gov.au](mailto:S22@abs.gov.au) (W) www.abs.gov.au

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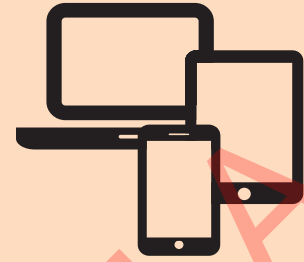


Census Household Form

Census night is Tuesday 6 February 2024

For ABS use only

Complete your Census online



① Go to www.census.abs.gov.au

② Select **Start your Census**

③ Enter your Census number

3131 5129 2533 1624

④ Enter your temporary password

gmZ ms7 s2Z

OR



Complete this paper form and return it in the Reply Paid envelope without delay.

It's time to complete your Census.

Census night is Tuesday 6 February 2024. Everybody at this address on Census night must be included on this Census form, including visitors and babies.

The Australian Bureau of Statistics is committed to maximising the value of data and statistics. The information you provide is used to make many important decisions about things like transport, schools, health care and infrastructure. It also helps plan services for individuals, families and communities. Your information may be combined with other sources, to create new statistics without asking more questions.

This information is collected under the authority of the *Census and Statistics Act 1905*. Go to www.census.abs.gov.au or page two of this form to find out more.

Thank you for taking part.

How to write your answers

- Use a blue or black pen only.
- Mark response boxes, like this:
- Use **CAPITAL** letters and only use one letter per box.

N	S	W
---	---	---
- Remember to leave a space between words, like this:

D	I	E	S	E	L		M	E
C	H	A	N	I	C			
- If you make a mistake, draw a line through the box, like this:

OR draw a line through the box and continue writing, like this:

S	E	R	V	I	N	C	I
N	G		C	A	R	S	

1 What is the address of this dwelling?

Please use **CAPITAL** letters only.

Apartment/Flat/Unit number Street number (examples: 1-9, LOT 37)
 (if any)

Street name (examples: GRAHAM AVENUE, GEORGE STREET)

Suburb/Locality

State/Territory Postcode

Property/Building name (if any)

All responses are kept strictly confidential. To see our Privacy Policy, go to www.census.abs.gov.au/privacy

For more information, go to www.census.abs.gov.au

Frequently Asked Questions

Census night is Tuesday 6 February 2024



What is the Census?

The Census is a snapshot of Australia's people and housing, and tells the story of how we are changing. It is used to estimate Australia's population, distribute government funds, and plan services for communities right around Australia.

This form asks questions about health, education, cultural background, employment and living situations. This information helps make sure the right services are available to individuals, families and communities, where and when they are needed.

Go to www.census.abs.gov.au to find out more about why the Census is important.



Who do I include on the form?

Make sure every person who stayed at this address on Census night is included on this form, including visitors and babies.

We collect information based on a specific date to give us the most accurate snapshot. The Census collects information on everyone in Australia, including people from overseas.



What if I want a separate form for privacy reasons?

To request an extra form to complete your Census separately from other household members, go to www.census.abs.gov.au/paper-form or call our 24-hour automated paper form request service on **1800 130 250**. You will need the Census number from the front of this form.



Do I have to complete the Census?

Yes, the Census is compulsory. Everyone in Australia on Tuesday 6 February 2024 must be included on a Census form. This information is collected under the authority of the *Census and Statistics Act 1905*.

Go to www.census.abs.gov.au/privacy to find out more about why the Census is compulsory.



Is my information confidential?

Yes, the information you provide is confidential. The ABS is legally required to keep data secure and not release information in a way that will identify any individual, household or business. Your data is protected by the secrecy provisions of the *Census and Statistics Act 1905*.

Go to www.census.abs.gov.au/privacy to find out more about how we keep your information secure.



What if there are more than six people staying on Census night?

If there are more than six people at this address on Census night, the easiest way to complete your Census is online.

Alternatively, to request an extra paper form go to www.census.abs.gov.au/paper-form or call our 24-hour automated paper form request service on **1800 130 250**. You will need the Census number from the front of this form.



What if no one is home on Census night?

If this address is unoccupied on Census night, please go to www.census.abs.gov.au or call us on **1800 512 441** to let us know.



Need more help?

Help is available at www.census.abs.gov.au/help

There is a range of information and self-service options to help you complete your Census.

If you'd prefer to speak to someone, you can call us on **1800 512 441**.

S22

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Please use CAPITAL letters only.

Person 1

The *householder* if present, otherwise any **adult** member of the household.

Person 2

The *spouse or partner* of 'Person 1' if applicable, otherwise *any other person present*.

S22

8 What was the person's sex recorded at birth?

- Another term includes options available on birth registrations.
- Mark one box, like this:

- Male
 Female
 Another term

- Male
 Female
 Another term

9 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:

- Man or boy
 Woman or girl
 Non-binary
 Uses another term (specify)

- Man or boy
 Woman or girl
 Non-binary
 Uses another term (specify)

Prefer not to answer

Prefer not to answer

S22

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29 **Has the person 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

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



S22

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S22

57 How does the person describe their sexual orientation?

- This question refers to the person's attraction to other people, if anyone.
- If the person is questioning their sexual orientation, please write 'questioning' in the 'specify' option.
- Mark one box, like this:

- Straight or heterosexual
- Gay or lesbian
- Bisexual or Pansexual
- Queer
- Uses another term (specify)

- Don't know
- Prefer not to answer

- Straight or heterosexual
- Gay or lesbian
- Bisexual or Pansexual
- Queer
- Uses another term (specify)

- Don't know
- Prefer not to answer

S22

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58 Were there any people *away* on the night of Tuesday 6 February 2024 who usually live in this dwelling?

- 'Usually live' means the person has lived, or intends to live, at this address for a total of six months or more in 2024.
- Include people counted as away in Questions 4 and 5.

- No, no one away **▶ Go to 60**
- Yes, someone away **▶ Go to 59**

59 For each person *away*, complete the following questions

Remember that each person away will also need to complete a Census form for where they were in Australia on Census night.

S22

What was the person's sex recorded at birth?

- Another term includes options available on birth registrations.

- Male
- Female
- Another term

- Male
- Female
- Another term

- Male
- Female
- Another term

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

- Man or boy
- Woman or girl
- Non-binary
- Uses another term (specify)

- Man or boy
- Woman or girl
- Non-binary
- Uses another term (specify)

- Man or boy
- Woman or girl
- Non-binary
- Uses another term (specify)

Prefer not to answer

Prefer not to answer

Prefer not to answer

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FIELD STAFF USE ONLY

RAS	ASC	HOM
CCF <input type="checkbox"/>	FOM <input type="checkbox"/>	RGH <input type="checkbox"/>
QA <input type="checkbox"/>	INC <input type="checkbox"/>	
<p>DFA number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Record number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p>		

OFFICE USE ONLY

DCC	RAS
TRN <input type="checkbox"/>	CCF <input type="checkbox"/>
U15 <input type="checkbox"/>	QA <input type="checkbox"/>
NAH <input type="checkbox"/>	
UNO <input type="checkbox"/>	
PFR <input type="checkbox"/>	HOM
COM <input type="checkbox"/>	QA <input type="checkbox"/>
REF <input type="checkbox"/>	



S22

From: S22
Sent: Friday, 22 March 2024 12:15 PM
To: S47F; Duncan Young
Cc: S47F; S22; S47F; S47F; S22; S22; S22
Subject: RE: Census - Stakeholder engagement [SEC=OFFICIAL]
Attachments: S22 MO TPs on topic review process March 2024.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi S47F,

Please find the requested talking points. S22

S22

S22

S22

Regards

S22

From: S47F @TREASURY.GOV.AU>
Sent: Thursday, March 21, 2024 3:13 PM
To: S22 @abs.gov.au>; Duncan Young <Duncan.Young@abs.gov.au>
Cc: S47F @TREASURY.GOV.AU>; S47F @TREASURY.GOV.AU>; S47F
 <S47F @TREASURY.GOV.AU>; S22 @abs.gov.au>
Subject: RE: Census - Stakeholder engagement [SEC=OFFICIAL]

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OFFICIAL

S22

Thanks again,

S47F

S47F — Adviser

Office of The Hon Dr Andrew Leigh MP
Assistant Minister for Competition, Charities and Treasury
Assistant Minister for Employment

M S47F

R2.108, Parliament House, Canberra, ACT 2600

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From: S22 <[REDACTED]> @abs.gov.au>

Sent: Thursday, March 21, 2024 11:09 AM

To: S47F <[REDACTED]> @TREASURY.GOV.AU>; Duncan Young <Duncan.Young@abs.gov.au>

Cc: S47F <[REDACTED]> @TREASURY.GOV.AU>; S47F <[REDACTED]> @TREASURY.GOV.AU>; S47F <[REDACTED]>

<[REDACTED]> @TREASURY.GOV.AU>; S22 <[REDACTED]> @abs.gov.au>

Subject: RE: Census - Stakeholder engagement [SEC=OFFICIAL]

Hi S47F,

Onto it

Cheers

S22

From: S47F <[REDACTED]> @TREASURY.GOV.AU>

Sent: Thursday, March 21, 2024 11:05 AM

To: Duncan Young <Duncan.Young@abs.gov.au>

Cc: S22 <[REDACTED]> @abs.gov.au>; S47F <[REDACTED]> @TREASURY.GOV.AU>; S47F <[REDACTED]>

<[REDACTED]> @TREASURY.GOV.AU>; S47F <[REDACTED]> @TREASURY.GOV.AU>

Subject: Census - Stakeholder engagement [SEC=OFFICIAL]

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Hi Duncan and S22,

We are starting to see increasing interest in the Census process and questions which are being considered for inclusion, particularly on the questions of S22, variation of sex characteristics, sexual orientation, gender and sex and birth.

To help with our responses, would you be able to share some standard lines which describe the process that the ABS have gone through, and will go through in future, to make recommendations to government?

And for each of those questions above, would you also be able to share a summary of where the question is up to in terms of the ABS process, and a list of the stakeholders you have engaged in that process (either through testing or consultation), for our background?

Kind regards,

S47F

S47F

— Adviser

Office of The Hon Dr Andrew Leigh MP
Assistant Minister for Competition, Charities and Treasury
Assistant Minister for Employment

M

S47F

R2.108, Parliament House, Canberra, ACT 2600

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Process

The ABS undertook a two-phase public consultation process to inform our recommendation on topics for the 2026 Census:

- Phase one: 28 February to 28 April 2023 – understanding what information the public would like the ABS to collect on the Census.
- Phase two: 27 July to 8 September 2023 – consultation on topics being considered for inclusion, change or removal from the 2026 Census. This considered public input from phase one.

On 12 December 2023, the ABS published outcomes from the second phase of consultation, including the topics that progressed to the next stage of the review process. Proposed content changes are tested using focus groups, cognitive interviews and a large-scale test.

The ABS will review testing outcomes and develop a final list of topics to recommend to the Australian Government in mid-2024. This will include potential new topics, changes to existing topics and topics with a lower relative priority that could be removed. 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 included in the Census. Any question changes to existing topics will be sufficiently tested. This will provide confidence ahead of implementing them in the 2026 Census.

Outcomes and topics for the 2026 Census will be published on the ABS website in late 2025.

The Census is just one way that the ABS can meet the data needs of the Australian community. The ABS also considers if other ABS surveys or administrative data could be used to meet data needs.

You can subscribe to receive updates regarding the topic review process via this link:

www.subscribe.abs.gov.au/2026Census.

For further information – [Overview of the 2026 Census topic review | Australian Bureau of Statistics \(abs.gov.au\)](#)

If you feel necessary** I hope this information is of assistance to you. If you have any other Census questions, please feel free to send an email to census.content@abs.gov.au.

For topics



S22

S22

Gender, Sexual Orientation and Variations of sex characteristics – ABS have advised that these topics are being tested due to the strong need for data. The ABS will review testing outcomes of each topic individually before deciding if that topic will be recommended for inclusion in the 2026 Census.

S22

S22

From: S22
Sent: Thursday, 30 May 2024 8:49 AM
To: S47F
Cc: Duncan Young
Subject: RE: 2024 test paper form [SEC=OFFICIAL]
Attachments: 2024CensusTest_HHF_FINAL1_V5.pdf

Hi S47F

Final form attached. Please let me know if you have any questions regarding it.

S22

Have a great day

S22

S22

Co-Director – 2026 Census Content
 Population Statistics Branch | **Australian Bureau of Statistics**

(E) S22 @abs.gov.au (W) www.abs.gov.au

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From: S47F <S47F@TREASURY.GOV.AU>
Sent: Wednesday, May 29, 2024 3:58 PM
To: S22 <S22@abs.gov.au>
Cc: Duncan Young <Duncan.Young@abs.gov.au>
Subject: 2024 test paper form [SEC=OFFICIAL]

CAUTION: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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OFFICIAL

Hi S22

Hope you're doing well.

Are you able to share the paper form which will be used in the 2024 September Test?

I have a copy of the paper form used in cognitive testing which you shared on 6 March, but wondering if there is a full form update ahead of September?

We have the snippets of the 2024 test questions in the Census topic update document you sent through, but not together in one form.

Best,

S47F

S47F — **Adviser**

Office of The Hon Dr Andrew Leigh MP
Assistant Minister for Competition, Charities and Treasury
Assistant Minister for Employment

M S47F

R2.108, Parliament House, Canberra, ACT 2600

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