

S22

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

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

Thanks

S22

S22

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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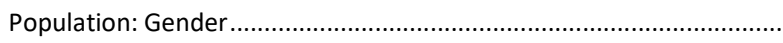


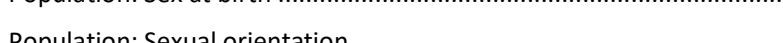
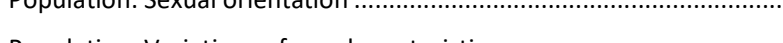
ABS package for Minister's Office

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>	<ul style="list-style-type: none"> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Non-binary sex
--	---

2024 Test question

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

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.



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.



From: [REDACTED]
Sent: Friday, August 23, 2024 5:06 PM
To: [REDACTED] <[REDACTED]@TREASURY.GOV.AU>
Cc: Duncan Young <Duncan.Young@abs.gov.au>; Mark Harding <Mark.Harding@abs.gov.au>; Denise Carlton <Denise.Carlton@abs.gov.au>; [REDACTED] <[REDACTED]@abs.gov.au>; parliamentary@abs.gov.au; [REDACTED] <[REDACTED]@TREASURY.GOV.AU>; Leigh DLO <LeighDLO@TREASURY.GOV.AU>; [REDACTED] <[REDACTED]@TREASURY.GOV.AU>
Subject: For information: 2024 Census Test Communications Collateral

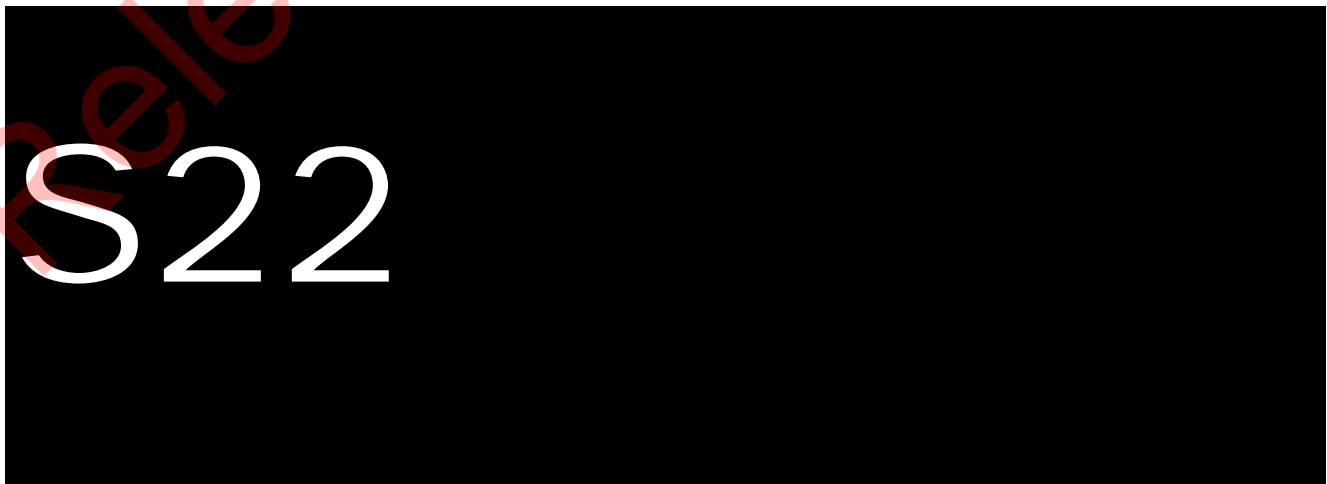
Hi [REDACTED],

Thanks for your time yesterday. As discussed, please see attached final communications collateral for the 2024 Census Test.

The pack includes:

- Media release – for national distribution on 27 August
- Stakeholder Toolkit – key messages and resources for use in the Test areas
- Email outreach - for MPs in the Test areas on 27 August

Overview of communication activities and timing (updated 23 August)



S22

Please reach out if you have any questions.

Thanks,

S22

S22

Director, Census Customer Experience
Census 2026 Branch, Australian Bureau of Statistics

T: S22 **M:** S22
E: S22 @abs.gov.au **W:** www.abs.gov.au

From: S47F <S47F@TREASURY.GOV.AU>

Sent: Friday, August 16, 2024 5:36 PM

To: S22 <S22@abs.gov.au>; S47F <S47F@TREASURY.GOV.AU>; Leigh DLO <LeighDLO@TREASURY.GOV.AU>; parliamentary@abs.gov.au; S47F <S47F@TREASURY.GOV.AU>

Cc: Duncan Young <Duncan.Young@abs.gov.au>; Mark Harding <Mark.Harding@abs.gov.au>; S22 <S22@abs.gov.au>

Subject: Re: For consultation: draft 2024 Census Test Communications Collateral [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

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OFFICIAL: Sensitive

Thank you for this S22. Will touch base if we have questions.

Have a great weekend.

Kind regards,

S47F

Media Adviser | S47F

Assistant Minister for Charities, Competition, and Treasury

Assistant Minister for Employment

OFFICIAL: Sensitive

OFFICIAL: Sensitive

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

Sent: Friday, August 16, 2024 5:30 PM

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

Leigh DLO <LeighDLO@TREASURY.GOV.AU>; parliamentary@abs.gov.au <parliamentary@abs.gov.au>

Cc: Duncan Young <Duncan.Young@abs.gov.au>; Mark Harding <Mark.Harding@abs.gov.au>; [S22]

[S22] <[S22]@abs.gov.au>

Subject: For consultation: draft 2024 Census Test Communications Collateral [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

OFFICIAL: Sensitive

OFFICIAL: Sensitive

Hi [S47F],

I hope you are well. Ahead of the 2024 Census Test operations, [S22]

S22

Schedule of communications activity

S22

S22

Thanks,

S22

S22

Director, Census Customer Experience
Census 2026 Branch, Australian Bureau of Statistics

T: S22 M: S22

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

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27 August 2024

Media release: ABS to conduct Census Test in September



The topics being tested are not final and do not reflect decisions for the next Census. It is the Government's role to decide the topics that will be included in the Census.

The ABS's role is to determine the questions asked for each topic on the Census form.



More information

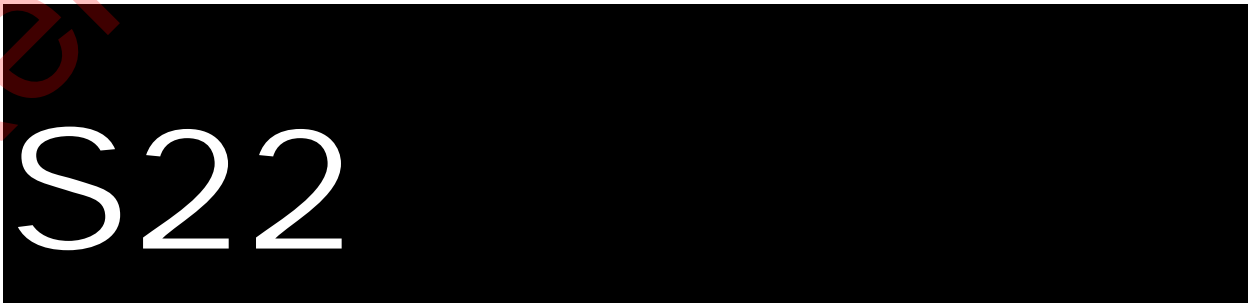


Table 1: Topics being tested

Topic	About
Gender	<ul style="list-style-type: none"> • The Census Test will ask ‘What is the person’s gender?’ • Collecting this data could help contribute to informed policy and planning, resource allocation and delivery of services at the national and local level based on a person’s gender. • The combination of gender and sex recorded at birth will provide an opportunity to produce data for the cisgender, trans and gender diverse population. • ‘Prefer not to answer’ can be selected if the person does not want to provide an answer to this question.
Sexual orientation	<ul style="list-style-type: none"> • The Census Test will ask ‘How does the person describe their sexual orientation?’ • Data on sexual orientation could help contribute to the development of policy, allocation of resources and delivery of services at both the national and local level to people who identify as lesbian, gay, bisexual or use a different term and their families. • This question is only asked of persons aged 15 years or older. • ‘Prefer not to answer’ can be selected if the person does not want to provide an answer to this question.
Variations of sex characteristics	<ul style="list-style-type: none"> • The Census Test will ask ‘Has the person been told they were born with a variation of sex characteristics (sometimes called ‘intersex’ or ‘differences of sex development’)?’ • Understanding the number of people who were born with a variation of sex characteristics could help government and non-government organisations to plan and provide resources to support individuals and their families. • ‘Prefer not to answer’ can be selected if the person does not want to provide an answer to this question.

Table 2: Potential question changes being tested

Topic	Potential change being tested
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S22

Sex

Update to the question wording to specifically collect 'sex recorded at birth' and updating response categories to improve data quality.

Media notes

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MP email outreach

S22

Subject: The Census Test is coming – Tuesday 10 September 2024

Dear {#FIELD(TITLE)#},

S22

About the Census Test

S22

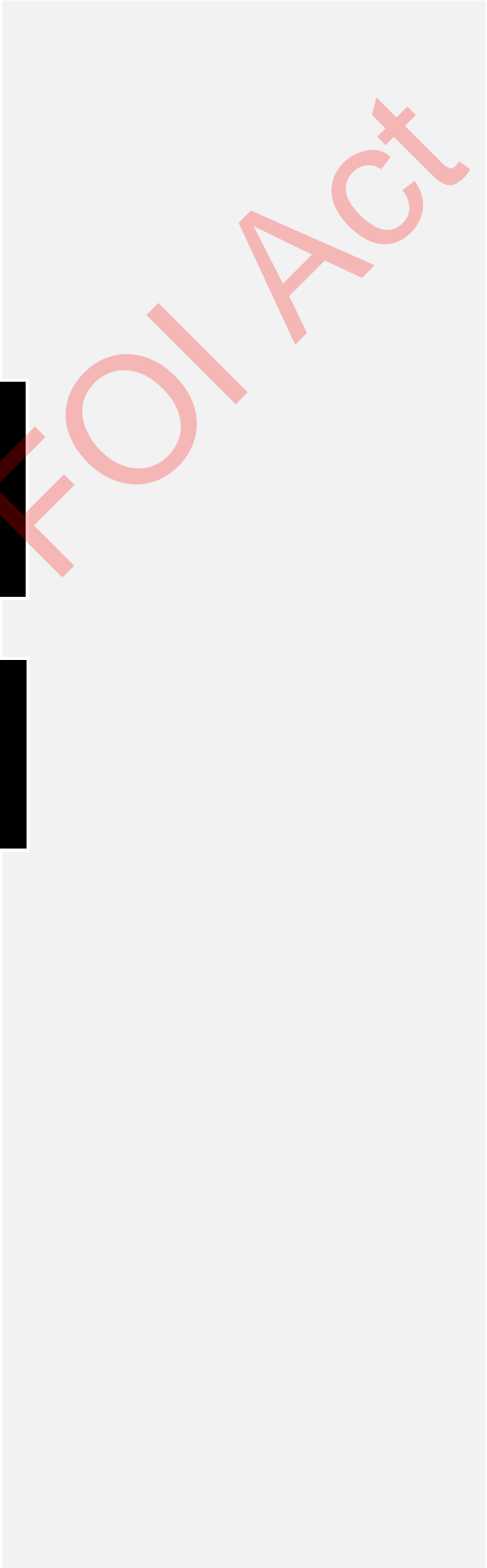
This Census Test is also testing topics and questions. The Test includes three topics that were not in the 2021 Census and changes to 12 existing topics. The Test will help the ABS ensure any changes collect data of high quality.

Like the 2021 Census, the Census Test will ask questions about age, country of birth, religion, ancestry, language used at home, long-term health conditions, work and education. The changes cover a range of topics from providing a better understanding of Australia's cultural diversity and LGBTIQ+ populations, to expanding information on work, study and long-term health conditions. More information about the questions in the Census Test is available on the ABS [website](#).

The topics being tested are not final and do not reflect decisions for the next Census. It is the Government's role to decide on topics for the 2026 Census. The ABS determines the questions asked for each topic in the Census.

Support your community to participate

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Kind regards,

Duncan Young
General Manager, 2026 Census
Australian Bureau of Statistics

Commented [S47F]: S22

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Census

Census Test Stakeholder Toolkit

Your guide to sharing information about the
Census Test with your community

September 2024

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Every stat tells a story.



Contents

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Key messages

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Introduction

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Key messages

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Questions in the Census Test

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- ▶ The Census Test will help the ABS test topics and question changes that were raised through public consultation.

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- ▶ This Test also includes questions to increase our understanding of Australia's cultural diversity and LGBTIQ+ populations, as well as expand information on work, study and long-term health conditions.

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- ▶ The Census Test contains three topics that were shortlisted by the ABS for inclusion after public consultation. These are questions on gender, sexual orientation and variations of sex characteristics. You can choose to select 'prefer not to answer' for these questions. The question on sexual orientation is only asked of people aged 15 years or older.
- ▶ Potential new Census topics and changes to existing questions were identified through extensive public consultation. The ABS heard that data on these topics could inform key services for communities across Australia if they were collected in the 2026 Census.
- ▶ The inclusion of a topic in the Census Test does not mean it will be included in the 2026 Census. Topics for the 2026 Census will be decided by the Australian Government.
- ▶ The Australian Government's role is to decide on the topics, and the ABS' role is to decide on the final design of the questions that are included on the 2026 Census form. The ABS will consider the outcomes from this Test when deciding on question design.
- ▶ Even if a topic is not included in the 2026 Census, outcomes from the Census Test will be helpful to further develop topics for future Censuses and other data collections.

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or assistance?**



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Call **1800 181 227**

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](mailto:S22@abs.gov.au) (W) www.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: 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]

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Hi S22

Hope you're doing well.

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

S22

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.

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2026 Census Content Development Process

Key Issue

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

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Talking Points

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

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

Facts and Figures

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

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Background

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

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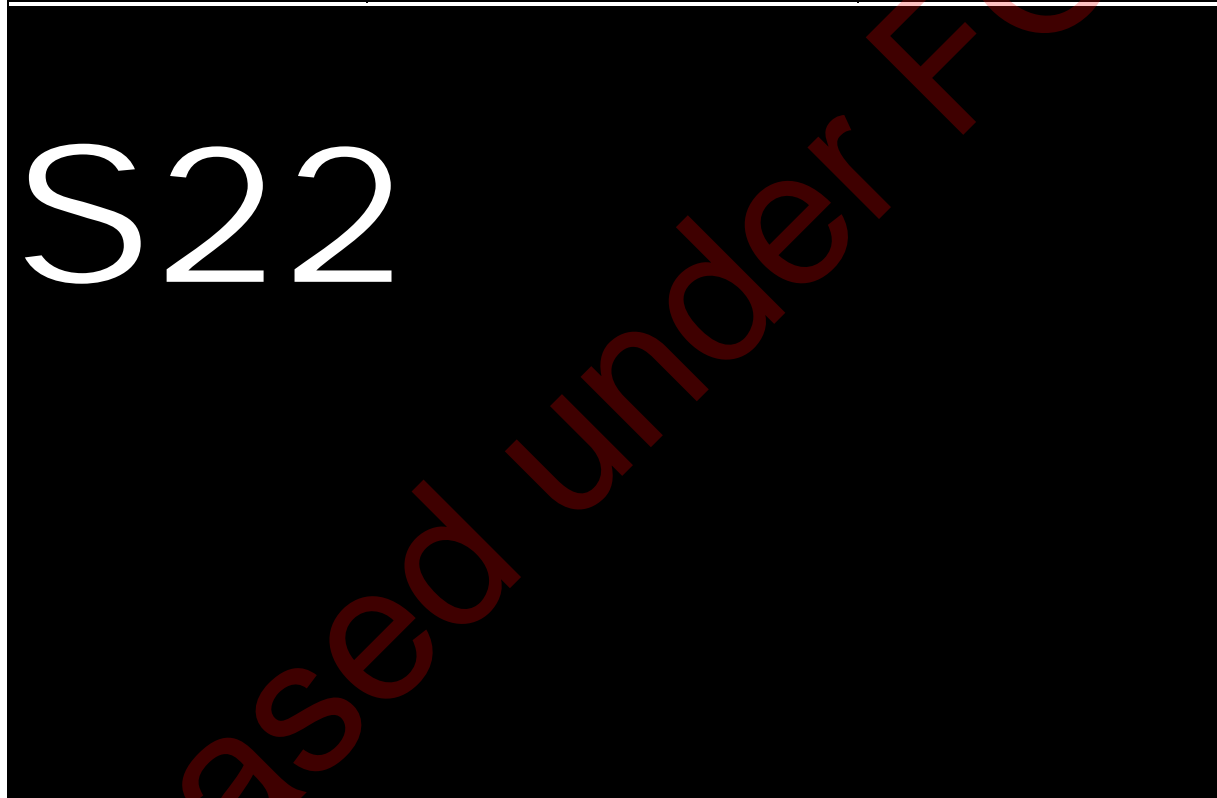
S22

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

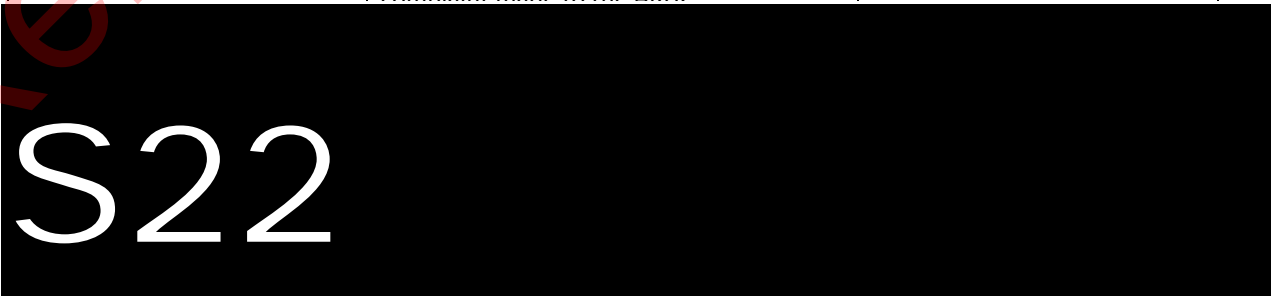
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Attachment A – Content changes included in the 2024 Test

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



Sex	Update question to specifically collect sex recorded at birth and update response categories, the latter in keeping with commitment made in resolution of a complaint made to the ARHC	Data quality and inclusivity [■]
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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](#)).
- The content changes that are still under consideration for inclusion in the 2026 Census provide the greatest public benefit when considered against the cost and complexity of data collection.



- Content changes that have proceeded to testing will not necessarily be recommended to the Australian Government for inclusion in the 2026 Census. The ABS will make a recommendation to the Government in mid-2024.

Facts and Figures



Content change being considered for 2026 Census at the end of each consultation phase

	Inclusion	Change	Removal
Phase one outcome	12 topics	15 topics	5 topics
Phase two outcome	5 topics	12 topics	4 topics

Census and Population Division
DAS Responsible: Brenton Goldsworthy
Mobile: [REDACTED]

Date Cleared: 11 January 2024
Other Contact: Duncan Young, General Manager
Mobile: [REDACTED]

Background

- The *Census and Statistics Regulation 2016* prescribes the topics in the Census.
- 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.



S22

- Any changes to content included in the ABS recommendation to Government will have undergone sufficient initial testing to provide confidence they can be successfully implemented in the 2026 Census.
- The ABS considers requests for new or changed topics as well as existing topics against a set of criteria. These criteria have been informed by the United Nations Principles and Recommendations for Population and Housing Censuses. These criteria are:
 1. The topic is of current national importance.
 2. There is a need for data at the national level, and either the local level or for small population groups.
 3. There is likely to be a continuing need for data on the topic following the Census.
 4. There are no other suitable alternative data sources or solutions that could meet the topic need.
 5. Data on the topic can be collected efficiently.
 6. A representative of the household would be willing and able to answer questions on the topic for each member of the household.



S22

- The ABS engages with a wide range of stakeholders throughout the topic review process. This has included establishing the LGBTIQ+ Expert Advisory Committee and consulting the ABS Round Table on Aboriginal and Torres Strait Islander Statistics.

S22

- Following Government decision, the *Census and Statistics Regulation 2016* will be amended and tabled in both houses of the Australian Parliament.
- Outcomes and topics to be included in the 2026 Census will be published on the ABS website in late 2025.

Released under FOIA Act

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

Changes to existing topics under consideration for the 2026 Census (a)

Theme	Topic	Proposed change
S22		
Population	Sex	Update question to specifically collect sex recorded at birth and update response categories to improve data quality.
S22		

S22

Released under FOIA Act

S22

Released under FOIA Act

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Released under FOIA Act

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.

2026 Census Content Development Process

Key Issue

The second phase of public consultation on 2026 Census topics concluded on 8 September 2023. The ABS is currently assessing which topics will be shortlisted and undergo testing.

Talking Points

- The ABS has undertaken two phases of public consultation on topics to be included in the 2026 Census of Population and Housing.
- The ABS released the findings from the first phase of consultation on 27 July 2023. Twenty-eight topics were shortlisted for potential inclusion or change, and four topics identified for potential removal (Attachment A).
- The ABS sought feedback on the shortlisted topics for inclusion, change or removal during the second phase of public consultation.
- The ABS considers a range of factors when undertaking its assessment of potential topics. This includes the need for the data, the overall length of the form, whether alternative data is available and the ability and willingness of the public to answer accurately.
- In late 2023, the ABS will publish the outcomes of the second phase of public consultation, including the topics that have proceeded to testing.
- The ABS will make recommendations on 2026 Census topics to the Australian Government in mid-2024.

Facts and Figures



S22

Background

- The *Census and Statistics Regulation 2016* prescribes the topics in the Census.
- There is limited capacity to add new topics without removing others. Capacity is limited by the space on the paper form and the cost of processing additional information.
- While several topics need to be collected every Census (most notably key demographic information), the ABS undertakes public consultation to ensure the Census reflects contemporary society and emerging data needs.
- The consultation process starts early in the Census cycle. This enables the ABS to obtain input from stakeholders, undertake testing and receive Government approval in time to meet operational requirements, such as printing of paper forms.
- The ABS has introduced a two-phase consultation approach for the 2026 Census to replace the single phase of consultation used for the 2021 Census. This increases public awareness and involvement earlier in the consultation process and allows the public multiple opportunities to provide input.
- The ABS engages with a wide range of stakeholders throughout the topic review process. This has included establishing an LGBTIQ+ Expert Advisory Committee and consulting the ABS Round Table on Aboriginal and Torres Strait Islander Statistics.
- The ABS considers requests for new or changed topics as well as existing topics against a set of criteria. These criteria have been informed by the United Nations Principles and Recommendations for Population and Housing Censuses.



Milestone	Date
Phase one public consultation – <i>The ABS invited the public to suggest content the ABS should collect.</i>	28 February - 28 April 2023
Phase two public consultation – <i>The ABS published outcomes of phase one and invited submissions on topics being considered for inclusion, change or removal.</i>	27 July - 8 September 2023
Outcomes of phase two to be published - this will include the topics that have proceeded to the testing phase.	12 December 2023
Recommendations for 2026 topics are provided to the Government.	Mid 2024
Large scale field test of proposed new content.	September 2024



Attachment A

The 12 proposed new topics shortlisted for further consideration:

Theme	Topic
<h1>S22</h1>	
Population	Gender
	Sexual orientation
	Variations of sex characteristics
<h1>S22</h1>	

The 19 proposed changes (across 16 topics) shortlisted for further consideration:

Theme	Topic	Proposed change
<h1>S22</h1>		

S22

Population

Sex

Review question design to specifically collect sex recorded at birth and response categories used

S22

S22

S22

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'.

S22

KEY FACTS AND FIGURES

S22

- 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).

S22

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.

BACKGROUND



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



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

Executive summary

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

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

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

Key points

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

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

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

S22

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

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

S22

Attachments

Attachment A – Summary of current ABS intention for content changes

S22

Attachment A – Summary of current ABS intention for content changes

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

Topic	ABS intended direction
<h1>S22</h1>	
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.
<h1>S22</h1>	

(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.

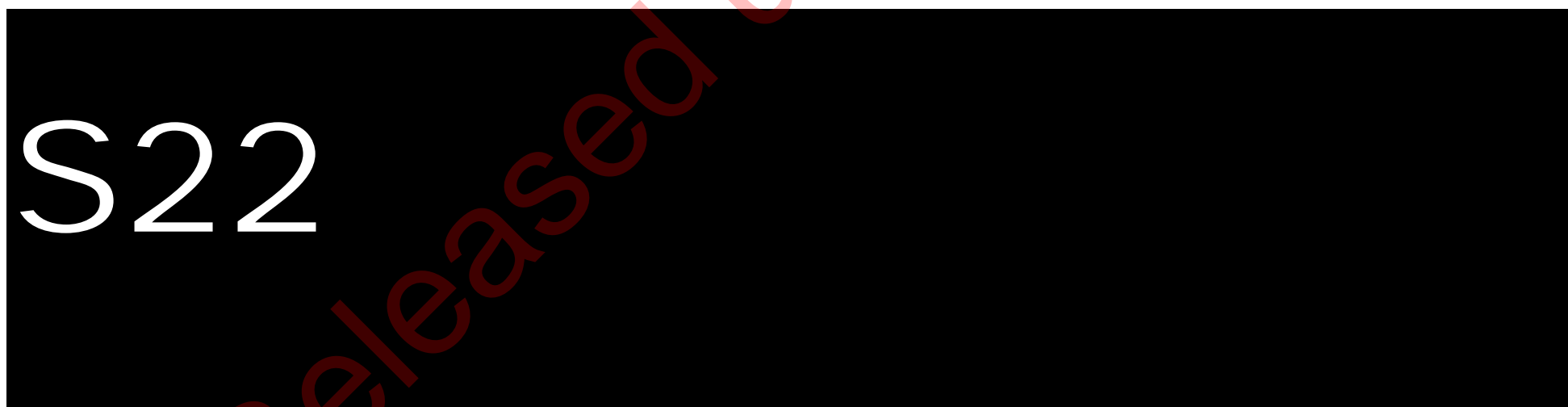


Table 3: Existing content identified for potential change at end of phase two consultation and review

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

Released under FOIA Act



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.

S22

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](#).

S22

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.

S22

- 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

S22

- 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

S22

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.

S22

Background

S22

- 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

S22

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.

S22

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

S22

- 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.

S22

S22

Released under FOIA Act

S22

Released under FOIA Act

S22

Released under FOIA Act



For Information

MS23-00022

Title:	Update on 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 that the Australian Bureau of Statistics will publish outcomes from the first phase of consultation on 2026 Census topics and commence the second phase of consultation on 27 July 2023.	
	Noted <input type="checkbox"/>	Please Discuss <input type="checkbox"/>
Signature: The Hon Dr Andrew Leigh MP Assistant Minister for Competition, Charities and Treasury/...../..... Date

Executive summary

- On Thursday 27 July 2023, the Australian Bureau of Statistics (ABS) will publish “2026 Census topic review – Phase one directions”. This publication provides a summary of the feedback received during the first phase of consultation and a list of new topics being considered for inclusion in the 2026 Census. It also lists existing topics where change is being considered and topics being considered for removal.
- The ABS will conduct phase two of the 2026 Census Topic consultation from Thursday 27 July until Friday 8 September 2023.

Key points

- The ABS assessment during phase one of the topic consultation has identified there is strong public value for the inclusion of 12 new topics and to make changes to 16 existing topics. Four existing topics have been identified for potential removal from the 2026 Census. The shortlisted topics are detailed in [Attachment A](#).

S22

- In late 2023, the ABS will share the outcomes of phase two, including the topics recommended for removal and topics that have proceeded to testing.

The Australian Government decides which topics are collected in the Census. The ABS will make a recommendation to Government in mid-2024 on the topics that could be included in the 2026 Census.

Cleared by:	Duncan Young General Manager, Census Division	Contact officer:	Duncan Young General Manager, Census Division
Date cleared:	25 July 2023	Contact number:	522
Consultation: Nil			

Issues/sensitivities

- The demand for new topics is greater than can be accommodated in the Census, so new topics need to be prioritised and existing topics considered for removal. The addition of new topics is limited by both the cost of inclusion and the burden and privacy concerns of households. Data users, community groups and the public will be disappointed to see some topics not be assessed for further consideration.
- There are more shortlisted topics for phase two consultation than the ABS will have capacity to test or include in the 2026 Census. There is a risk that expectations of these topics being included in the 2026 Census will be raised by this process.
- Not including topics will cause concern for some people. Conversely, the inclusion of topics or changes to existing topics may also raise concerns in relation to privacy, loss of comparability of data, or beliefs of what should or should not be on the Census.

S22

Background

- The ABS is conducting a two-phase consultation process for the 2026 Census. This process involves the public earlier than the 2021 consultation process did and aims to increase transparency and public awareness, and to encourage broader participation. The ABS has published details on the review process on the [ABS website](#).
- Phase one of the 2026 Census topic consultation was open from 28 February to 28 April 2023. This consultation invited submissions on information the public would like the ABS to collect in the Census.
- During phase one, the ABS also reviewed other input including 2021 submissions, correspondence received by the Australian Statistician and Ministers, feedback from other recent ABS consultations and statistical standard reviews, and recommendations from parliamentary inquiries.

S22

- Existing topics and proposed new topics were reviewed against the [assessment criteria](#) on public value. The public value criteria consider national importance, the need for data for local levels or small population groups, and a continuing need for the data. Topics with high public value were then assessed as to whether the information need could be met from existing data sources.
- The addition of any new content to the Census needs to be carefully considered to ensure that the public benefit of the data outweighs the cost to the Australian taxpayer of developing the questions, collecting the data and then processing it. The ABS also needs to consider the burden on Australian households of answering additional questions, and whether a longer Census form will decrease the quality of the data collected.
- Including a new topic on the Census is a complex process and even if a topic has high public value this does not mean the Census will be the most appropriate mode of collection. Some topics are highlighted as having feasibility considerations due to interplay with other topics, sensitivity of the information or the absence of evidence on how to collect this topic.

- Phase two consultation aims to ensure that stakeholders (including the public) are aware of the 2026 Census topic process and current topic consideration. It seeks views on topic directions and the impact of changes.
- Awareness and understanding during phase two will be supported by an information kit for Members of Parliament, social media promotion, a media release, distribution of radio release audio grabs, live webinar and ABS media spokespeople. The call to action will be to visit the ABS website and consultation hub to access further information and make a submission.
- The ABS will contact parties that provided submissions in phase one who requested to be kept informed of the process and subscribers to the email distribution list. The ABS will also engage directly with stakeholders, including meeting with the ABS Round Table on Aboriginal and Torres Strait Islander Statistics and the forming an advisory committee on Sex, Gender, Variations of Sex Characteristics and Sexual Orientation.
- During phase two, the ABS will assess topics against the same assessment criteria to determine whether data on the topic can be collected efficiently and whether a representative of a household would be willing and able to answer questions on the topic for each member of the household.
- In late 2023, the ABS will release the outcomes of phase two, including the topics recommended for removal and topics that have proceeded to testing. Not all topics that are tested will be recommended to the Australian Government for inclusion in the 2026 Census.

Attachments

Attachment A: Summary of outcomes of phase one topic assessment process

Attachment B Census Topic Review Submissions and Data Requests

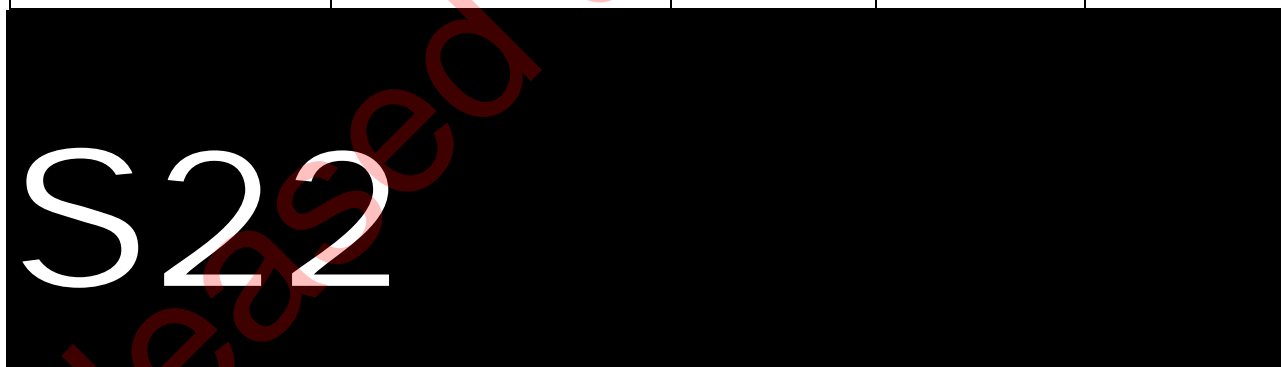
Attachment A: Summary of outcomes of phase one topic assessment process

The 12 new topics that have strong public value and are shortlisted for further consideration in phase two are listed below.

Theme	Topic	Complexity across topics (a)	Sensitivity (b)	No previous evidence or current ABS statistical standard (c)
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Population	Gender	X		
	Sexual orientation		X	
	Variations of sex characteristics	X	X	



- (a) Topic is dependent on another topic change or potentially impacts the collection of data on another topic.
- (b) The topic collects information that is classified as “sensitive information” under *The Privacy Act 1988*.
- (c) There is no statistical standard, or previous evidence from Census testing or an ABS survey, that the topic can be asked in one or two questions in a self-complete household form.

The 19 proposed changes (across 16 existing topics) that have strong public value and are shortlisted for further consideration in phase two are below.

Theme	Topic	Proposed change
<h1>S22</h1>		
Population	Sex	Review question design to collect sex recorded at birth and response categories
<h1>S22</h1>		

S22

Released under FOIA Act

S22

Released under FOIA Act

S22

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

Good evening S47F and DLOs

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

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

Kind regards

S22

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

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

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EVENT / MEETING

MB24-000004

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

Purpose of meeting

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

Key points

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

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

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

Issues/sensitivities

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

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

Background

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

Attachments

Attachment A – Attendees

Attachment B – Meeting agenda

S47E & S47C

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

Attendees**LGBTIQ+ Expert Advisory Committee Members**

S47F

S47F, LGBTIQ+ Health Australia S47F

Bindi Kindermann

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

S47F

S47F, East Metropolitan Health Service, WA

S47F

S47F, Switchboard Victoria

S47F

S47F, Diversity Council Australia

S47F

S47F, Intersex Human Rights Australia

S47F

S47F, JC2 Athletics and disability advocate

S47F

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

S47F

Sex and Gender Section, Attorney General's Department

S47F

S47F, Community Health, ACON

S47F

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

S47F

S47F, The Kirby Institute, UNSW

S47F

S47F, Equality Australia

S47F

S47F, Public Interest Advocacy Centre

S47F

Black Lorikeet Cultural Brokering

S47F

S47F, ACT Government Office of LGBTIQ+ Affairs

S47F

S47F, SMART Recovery Australia

S47F

Royal Australian College of General Practitioners

S47F

S47F, Australian Human Rights Commission

S47F

School of Sociology, Australian National University

S47F

S47F, BlaQ Aboriginal Corporation

S47F

S47F, Australian GLBTIQ Multicultural Council

S47F

S47F, The Royal Children's Hospital Melbourne

ABS Observers

Duncan Young

General Manager, Census and Population Division, ABS

S47F

Director, Social Characteristics Section, ABS

S47F

Director, Census Content Development, ABS

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

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

AGENDA

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

S47E & S47C

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S47E & S47C

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

Purpose and scope

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

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

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

Membership

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

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

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

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

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

Role of members

Members are expected to:

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

Role of the ABS

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

The ABS will:

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

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

Administrative Arrangements

Co-chairs

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

Committee activity

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

Subgroups

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

Secretariat

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

Relationship to other ABS Advisory Groups

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

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

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

S22

S22 > Gender Question

Gender Question

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

SCREENS

S22

Gender

Displayed if Age > 18

Released under FOIA Act

What is John's gender?

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

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

What is John's gender?

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

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

Displayed if Age > 9 and <18

What is John's gender?

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

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

What is John's gender?

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

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

Displayed if Age < 9

What is John's gender?

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

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

What is John's gender?

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

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

Comments

There are no comments.

S22

S22 > Sexual Orientation Question

Sexual Orientation Q

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

SCREENS

S22

Sexual Orientation

Displayed when Age is ≥ 15

Released under FOIA Act

How does John describe their sexual orientation?

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

How does John describe their sexual orientation?

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

Comments

There are no comments.

S22

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

S22

Hi S47F,

S22

We will send through the update on question design and engagement activities early next week. S22

S22

I hope you have a lovely weekend
Regards

S22

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

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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

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: S22 <S22@abs.gov.au>

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

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

Cc: S47F <S47F@TREASURY.GOV.AU>; Leigh DLO <LeighDLO@TREASURY.GOV.AU>; S47F <S47F@TREASURY.GOV.AU>; S22 <S22@abs.gov.au>

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

Hi S47F,

22

Cheers

S22

From: S47F <S47F@TREASURY.GOV.AU>

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

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

Cc: S22 <S22@abs.gov.au>; S47F <S47F@TREASURY.GOV.AU>; Leigh DLO <LeighDLO@TREASURY.GOV.AU>; S47F <S47F@TREASURY.GOV.AU>

Subject: Census - Stakeholder engagement [SEC=OFFICIAL]

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Hi Duncan and S47F,

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.

S22

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

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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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.

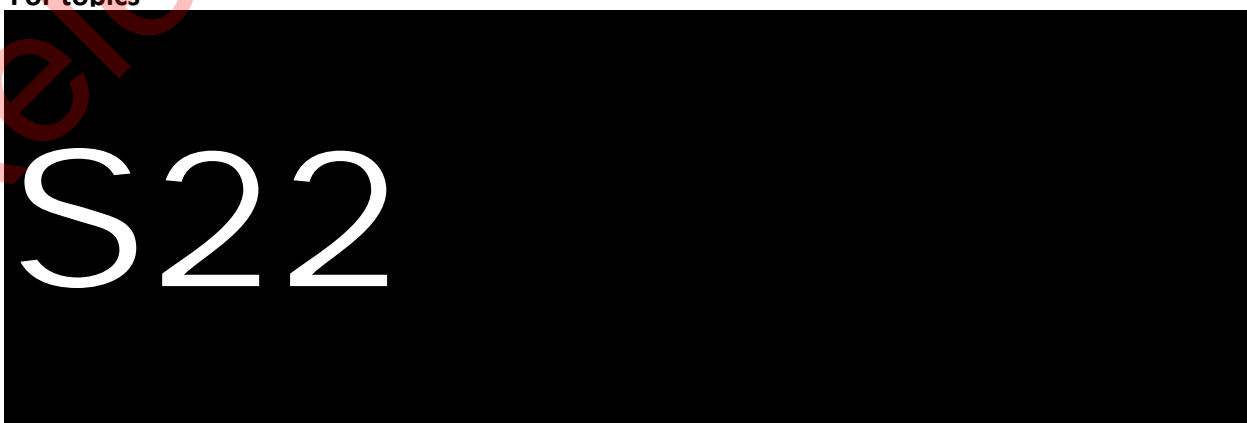
The ABS will review testing outcomes and develop a final list of topics to recommend to the Australian Government in mid-2024. This will include potential new topics, changes to existing topics and topics with a lower relative priority that could be removed. Following the Government decision on the 2026 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.



For topics



S22

Sex at birth – ABS have advised they will recommend topic retention. ABS have also advised they are testing a change to the question wording to specifically collect sex recorded at birth and update response categories to improve data quality.

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

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