



# **AFFILIATION OF AUSTRALIAN WOMEN'S ACTION ALLIANCES (AAWAA)**

Women's Action Alliance Canberra (WAAC)  
Women's Action Alliance Tasmania (WAAT)  
Queensland Women's Action Alliance (QWAA)

## **2026 ABS CENSUS TOPIC REVIEW**

**Submission from the**

**AUSTRALIAN AFFILIATION OF  
WOMEN'S ACTION ALLIANCES  
(AAWAA)**

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## ASSESSMENT CRITERIA SUMMARY TABLE FOR SEX AND GENDER IDENTITY

CRITERION FOR INCLUSION	SEX	GENDER IDENTITY
1. The topic is of current national importance	Yes	No. A gender identity does not apply to all citizens.
2. There is a need for data at the national level, and either the local level or for small population groups	Yes	No. There is a need for data at the small group level, but this can be captured through other means and should not be a part of the census population groups instrument.
3. There is likely to be a continuing need for data on the topic following the census.	Yes	No. There is likely to be a need for ongoing data relating to small populations with a gender identity, but this can be captured through other means and should not be a part of the census population groups instrument.
4. There are no other suitable alternative data sources or solutions that could meet the topic need	Yes	No. Other, more suitable, data sources for the collection of gender identity information include the ABS National Health Survey and the ABS General Social Survey.
5. Data on the topic can be collected efficiently	Yes	No. A question on gender identity would cause confusion due to 'gender' being an inconsistently used and understood term. No meaningful data would be collected on the topic.
6. A representative of the household would be willing and able to answer questions on the topic for each member of the household	Yes	No. Matters relating to gender identity for those who have one may be private and sensitive. Respondents may not be able or willing to answer accurately.



## **SUMMARY OF THE INFORMATION WE WOULD LIKE THE ABS TO COLLECT AND PRODUCE STATISTICS ON**

AAWAA would like the ABS to collect objective data on sex to inform research on the distinct health and social experiences of women and girls, including in education, employment, and housing. The accuracy of this data – at the national, state, and local levels – is essential to our advocacy for policies, budget allocations, and research that address the disadvantage, discrimination, and sexism experienced by females. AAWAA would like the ABS to revert to a single, binary (Female/Male) sex question to minimise the risk that subjective elements connected with ‘sex self-identification’ lessen the objectivity of collected sex data for researchers and policy makers. Objective sex data is also essential for Australia to meet its international obligations under the [Convention on the Elimination of All Forms of Discrimination Against Women \(CEDAW\)](#).

This information relates to the census review topic of Population, including sex and gender.

## **WHY IT IS IMPORTANT THAT THE ABS COLLECT AND PRODUCE THIS INFORMATION, INCLUDING HOW WE WOULD USE THE DATA**

### **Overview**

The Affiliation of Australian Women’s Action Alliances (AAWAA) is made up of women’s liberation groups committed to the advancement, protection, and safeguarding of women and girls. Members of AAWAA include the Women’s Action Alliance Canberra (WAAC), the Women’s Action Alliance Tasmania (WAAT), and the Queensland Women’s Action Alliance (QWAA).

We research and advocate for a range of policies regarding women’s and girls’ sex-based rights and protections, including in relation to domestic, family, and sexual violence services, correctional services, and education and sport. We also research and advocate for policies and budget allocations to meet the needs of women in housing and employment.

Our advocacy is aimed at parliaments and governments at state, territory, and commonwealth levels; local authorities; universities and schools; the media; those with duty of care for children; and the public. In this submission, we outline the importance of the ABS collecting data on sex that is not corrupted by subjective issues including the issue of sex self-identification. We also provide specific comments on the question of ‘gender identity’, as well as general comments on sexual orientation and variations in sex characteristics, as part of the sex topic.

### **Objective sex data**

The census must deliver objective [data](#) on sex. Defined objectively by biology and as recorded or observed at birth, sex remains the most elementary and therefore important category of the person, and as such is the most fundamental predictor and explanatory variable of health, social, and economic outcomes. Sex as properly described and understood is essential to informing effective policy development and monitoring at all levels of government to address women’s issues, including those relating to health, male violence against women, female employment, and education participation, as well as



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population-level and other macro-economic policies. (Sex, of course, is also an indicator of the health and social outcomes of men and boys.) In addition to this, AAWAA assesses that objective sex data is also essential to Australia's fulfilling its legal responsibilities as a States party to the [UN Convention on the Elimination of All Forms of Discrimination against Women \(CEDAW\)](#). Without objective sex data, we cannot create the legal and policy frameworks required under CEDAW relating to discrimination, equality, temporary special measures, and harmful sex roles and stereotyping, amongst other things that contribute to the diminished status and resulting discrimination and violence against women and girls.

AAWAA recommends that the most effective way – and thus the most relevant to the needs of researchers and policy makers – for the census to determine a person's birthed sex is to ask a single, compulsory question on 'sex recorded or observed birth' and to have the answer recorded only in the binary, i.e., female or male. This approach also accords with the [ABS's annual published data on births and deaths](#).

AAWAA is concerned that the inclusion in the census since 2016 (through a requested form) of a third option to the sex question, and the [introduction in 2021 of 'Non-binary sex'](#) on all census forms, introduced a subjective element to sex data, data whose value to policy makers and researchers depends on its objectivity and minimisation of sampling errors. Sex is therefore in danger of becoming an unmet need if correct and accurate data on sex is not collected in future censuses.

AAWAA further recommends that, in addition to ensuring that the question is asked only in the binary, the ABS provide guidance to ensure that census respondents do not rely on identity records – such as birth certificates and passports – to answer the sex question, as these can reflect a legal fiction whereby people are allowed to 'change' the sex recorded on their birth certificates, in some cases annually, and/or to have an 'X' marker applied to their passports. In this regard, we maintain that guidance notes will be necessary to inform respondents on how to accurately answer the question and to explain the value to research and to policy-making of collecting accurate data on biological sex as recorded at birth. This would help ensure the quality of sex-related data in the census.

Additionally, AAWAA urges caution in any future consideration by the ABS to change the wording of other sex-related questions in the census, such as question 37, which asks, 'For each female, how many babies has she ever given birth to?' AAWAA assesses that the risk of de-sexing this question, for example, to ask, 'For each birthing parent how many babies they have given birth to?' would create both confusion (particularly among culturally and linguistically diverse groups) and potential offence. Such terminology could, on our view, prompt objections and rebellions, resulting in a deterioration in respondent willingness to complete the census form, creating poorer quality data and potentially undermining public support for the census, in addition to damaging the established and worthy reputation of the ABS as a trusted source of non-political, independent data collection and statistical analysis.

On another matter, some – including many [Aboriginal and Torres Strait Islanders](#) as well as [immigrants](#) to Australia – do not have a birth certificate. Adding the words 'recorded or observed' would mitigate against those without a birth certificate — as well as those who have a gender identity that is different from their sex, and those who have had a legal



change of sex made to their birth certificate — from being accidentally in breach of section 15 of the [Census and Statistics Act 1905](#).

Finally, AAWAA holds that by setting standards for the accurate collection and production of sex statistics, the ABS will have a positive impact on other Australian government and non-government institutions in their own data-collection practices. We are concerned that state and territory governments, over the past decade or so, have begun *not* to record accurate data on sex in crime statistics, for example, including those relating to the perpetrators of sexual assault. This worrying trend undermines the capacity of policy makers to develop policies to address these issues in future. The census itself cannot inform these matters, as crime statistics remain outside its consideration, but the ABS would nevertheless be setting a standard for others to follow.

### *Recommendations summary*

1. The single question asked should be phrased as simply as possible: 'What is your sex (as recorded or observed at birth)?'
2. The question must be compulsory.
3. Only a binary response option should be permitted, i.e., 'Female/Male'.
4. The ABS should provide guidance to all sex-based questions to discourage subjective answers.

### **Gender identity**

AAWAA notes that the ABS may be considering including a gender identity question in the 2026 Australian Census. AAWAA opposes any such question because it risks corrupting the census process by causing confusion around sex and gender and, from our perspective, because it would legitimise a retrogressive belief system based on sex stereotypes that are particularly harmful to women and girls. But perhaps most fundamentally, asking such a question in the census [will not yield any meaningful data at the national household census level](#), no matter how carefully the question is constructed (assessment criterion 1). It is also inappropriate – with consequences for personal privacy (assessment criterion 6) and data accuracy (assessment criterion 5) – that the questions might be posed regarding personal feeling or belief though its existing household-based census methodology. We expand upon these points, and others, below, and have provided an assessment criteria summary table at the beginning of our submission document (see the attached PDF in our online submission) for ease of reference as regards the inapplicability of collecting data on gender identity in the national census.

AAWAA holds that the census is not the appropriate vehicle to measure 'gender identity', that is, a feeling or belief that might develop in a very few as an individual, psychological response to the social pressures (and maybe, for some, the attractions) of sex-based stereotypes and the socio-cultural conventions and expectations that are applied to the sexes. And whilst knowing about gender identity is undoubtedly important for data collection, resource allocation, and policy development and monitoring in areas such as health, education, domestic violence services, crime statistics, and correctional services, it has no place in a national household census.

AAWAA acknowledges that 'gender identity' – the notion that some people may have an inwardly felt sense of a 'gender' – is a socio-cultural phenomenon of recent origin and particularly amongst some young people. But although it might be inwardly perceived, it



nevertheless originates in a belief system based on ill-defined concepts such as ‘sense’, ‘feeling’, ‘presentation’ ‘lived’, and ‘expression’ (all terms referenced in the ABS’s [Standard for sex, gender, variations of sex characteristics and sexual orientation variables](#)), and commonly relies on sex-stereotyped ‘mannerisms’ that have no basis in objective or empirical reality.

It is not the purpose of our census to measure such inner belief but, rather, to provide statistical information on demographic trends – which in turn dictate needs – to inform public policy and the allocation of public resources. Any ongoing special needs of those with a gender identity can better be captured through other more specific measures tailored to that population, meaning that a gender identity question would fall short of assessment criterion 3, just as it would fall short of criterion 2, as data on this population could be better gathered and evaluated through other instruments.

We also respectfully request the ABS to consider the near-impossibility of capturing accurate, complete, quality data on gender or gender identity through the census instrument. With all of the above duly considered, and because the category ‘gender’ or ‘gender identity’ is a socially and/or individually constructed one, it will be recognised that asking about a person’s gender identity (should they have one) at the national census level is unlikely to provide clean, useful, accurate, quality data unless the topic is very carefully constructed and tests well — both of which measures would be immensely difficult to achieve, if they could be achieved at all. And given that ‘gender’ has become a commonly but inconsistently used and understood term in Australia, the ABS risks enshrining a lack of clarity and consistency in Australian data collection and statistical collation if ‘gender’, ‘gender identity’ or other non-sex-based terms are used in the next census. Thus, a gender identity question would also not meet the standard for inclusion in the census under assessment criterion 5.

On top of these shortcomings, any testing of a gender-related question would have to be carried out on broad segments of Australian society, including those from CALD (culturally and linguistically diverse) backgrounds and those in various geographic localities, and not solely or chiefly amongst a narrow segment of society, for example, those who identify as LGBTQI+. The [biased biased testing situation described by Michael Biggs](#) in the lead-up to the 2021 Census of England and Wales, for instance, would have to be avoided. Further underlying this, the ABS would have to be sure to consult with primary data users and be careful not to prioritise the views of non-data users with a particular political viewpoint. We feel confident that the ABS has already taken these matters into consideration.

In addition to this, any mention of gender or gender identity in the census would likely cause many respondents to conflate the various meanings of ‘gender’ outlined above and simply cause them to repeat their answer to ‘sex’ in the sex question. Other problems with asking a gender identity question in the 2021 Australian Census have already been analysed and were [shown to have yielded no meaningful data](#).

To reiterate: asking a gender-related question would not meet the standard for inclusion in the census under assessment criterion 5.

As should be apparent by now, any question on gender identity can be critiqued on biological, philosophical, and practical grounds. Biological objections are obvious.



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Philosophically, we simply note that not everyone has a gender identity, and practically, the census would be put in statistical jeopardy should a gender identity question be included. Ethical grounds, however, must also be considered.

In this regard, it is vital to note that not everyone who has developed a gender identity would wish to disclose that identity, thus making gender-related data impossible to collect under assessment criterion 6. Requiring a person with a gender identity answer a gender-related question and then their deciding to either not answer it or to answer it untruthfully could put that person in breach of section 15 of the Census and Statistics Act 1905. At the very least, it could cause distress amongst such respondents. And practically, it should be clear by now that clean, useful, accurate data would not be obtained by a question that is open to misunderstanding or rebellion. Those who would be likely to misunderstand the question and its explanation would be at genuine risk if answering the question incorrectly ([as appears to have happened in the 2021 England and Wales census](#)); those who are likely to object to or reject the premise that everyone either has or is born with a gender identity may provide only rebellious inputs.

Also important is whether or not data can be collected more efficiently and accurately through other means and at a lower level. In this relation, there are better and more appropriate instruments that can be activated to collect gender identity data; the ABS National Health Survey and the ABS general social survey spring to mind under assessment criterion 4.

With all of this in mind, it can be seen that the addition of a gender identity question does not meet the threshold criteria for inclusion in an Australian census. A two-step approach to the sex question will not solve any of the above problems.

### **Sexual orientation and variations in sex characteristics**

AAWAA understands that the ABS may also be seeking to add a question on sexual orientation and a question on variations in sex characteristics in the sex topic in the next census. Neither question meets the threshold criteria for inclusion in the nation's premier household-level survey, and we briefly outline here some of the reasons for why this is the case.

AAWAA holds that sexuality relates to physiological attraction, which in turn is based on biological sex, and therefore the only possible permutations for sexuality are heterosexual, homosexual, and bisexual. From this, sexual orientation is a matter of sexual attraction at the physiological level and cannot occur at the socio-culturally constructed level of a belief in a gender identity. Further more, in recent times 'sexual orientation' itself has come to include gender identities, and thus cannot be a guaranteed measure of physiological attraction. To this end, a question about sexual orientation would need to acknowledge biological reality and responses would have to be based on the answer received to the sex question, with respondents receiving instruction in how to answer accurately.

Moreover, matters of sexual orientation and sexuality are often private and personal and to ask about them in a household survey would risk exposing those who wish for such matters to remain private and personal.



As regards variations in sex characteristics, we already know that this information only applies to a very small number of people and can be gathered by other – and more appropriate – means, such as through health surveys.

We also note the UK's [Office for National Statistics](#) gave the following reasons for not including a question about variations in sex characteristics (aka 'intersex') in the 2021 England and Wales census. AAWAA forwards them as sound:

- There was no strong and clearly identified user need for collecting this information in Census 2021
- This is a sensitive topic and private for some
- Data collected on this population in this way would be of low quality

We would further add that other medical and/or health conditions, such as menopause, polycystic ovary syndrome, and endometriosis, are not asked about as part of a census and neither should they be as they are not conditions experienced by both sexes at the population level, as are, for example, heart disease, asthma, arthritis, and kidney disease, which are all rightly captured in the current census instrument. Indeed, information regarding non-population-level medical conditions can be measured by other already established instruments such as the ABS's [National Health Survey](#).

Any question or questions relating to sexual orientation or variations in sex characteristics or similar must not be included in the 2026 census.

### **Concluding remarks**

The Affiliation of Australian Women's Action Alliances does not underestimate the contemporary challenges faced by the ABS in relation to gathering data on the sex topic. AAWAA has offered the above in a genuine and sincere attempt to engage with some of the difficulties that we foresee for the ABS in gathering objective sex data and we hope that you will consider our recommendations and comments for the precaution they advocate.

The ABS has the opportunity to get the sex topic right and we trust in the bureau's fair-minded appraisal of our arguments for the careful and good-faith spirit in which we offer them.

We thank you for this opportunity to comment.



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