

Response ID [REDACTED]

Submitted to 2026 Census topic consultation
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Consent to publish submissions following the consultation period

Do you give permission for the ABS to publish your submission? (Select one)

Yes, publish without my name, contributors' names and email addresses

Contact details

Contact name

Name:

Eilean Haley

Organisation name (if applicable)

Organisation name:

Women's Declaration International - Australia

Email address

Email address:

Confirm email address:

Do you wish to receive email updates on the outcome of this consultation and at key points in the 2026 Census topic selection process?

Yes

Select the category that best describes you or the organisation you represent:

Organisation categories:

Community organisation

Other:

Has this submission been prepared in collaboration with any other individual(s) or organisation(s)?

No

What information would you like the ABS to collect and produce statistics on?

Please provide a brief summary of the information you would like the ABS to collect and produce statistics on.

Freetext box for brief summary:

Sex - biological definition

What topic does this information most relate to?(Select one)

Population, including sex and gender

Other:

To help us assess your submission, tell us why it is important that the ABS collect and produce this information, including how you would use the data.

Freetext box for importance of data and how it will be used:

Sex. By which we mean biological sex. Sex as defined by the United Nations: 'The physical and biological characteristics that distinguish males from females.' (Gender Equality Glossary, UN Women)

• This topic is of current national importance (submission assessment criterion 1): the government has stated it remains committed to its election promise to consider the impact of every economic decision on women –

<https://www.abc.net.au/news/2023-03-09/can-the-government-overcome-the-challenge-of/102076834>.

- There is a need for data about this topic at all levels (criterion 2).
- There is likely to be a continuing need for data on this topic following the census (criterion 3).
- No other data source can adequately meet this topic need (criterion 4).
- Data on the topic can be collected efficiently (criterion 5) if the established and widely-understood acknowledgement of 'sex' as an immutable human biological attribute is maintained (but not otherwise).
- Household representatives should be both willing and able to answer questions on this topic for all members of their households (criterion 6), again as long as the established and widely-understood acknowledgement of 'sex' as an immutable human biological attribute is maintained (but not otherwise).

Information on sex has not been an unmet information need in Australian censuses to date, but will become so if the ABS does not break free of the influence of gender-identity ideology (GII). This influence is currently demonstrated in the language and conceptualisations of the ABS Standard on Sex, Gender, Variations of Sex Characteristics and Sexual Orientation; and in the choice of an ACON representative as an expert advisor.

GII is a regressive, misogynist ideology based on socially constructed stereotypes – stereotypes that regard womanhood as a series of essential, innate traits that can be appropriated by men who wish to be regarded as 'real' women. It is an ideology that ignores both the reality and the diversity of the female condition and effectively undermines the sex-based rights of women and girls. See <https://www.womensdeclaration.com/en/declaration-womens-sex-based-rights-full-text/>

Sex is a material reality. It exists regardless of whether a person identifies as, or feels like, a member of the male or female sex. The terms 'male', 'female', 'man', and 'woman' are sex categories not 'gender' or 'gender-identity' categories. Sex exists regardless of how a person reports it, or how it is indicated on legal documents, especially in states such as Victoria that now allow individuals to self-declare their sex and have their birth certificates altered to display a legal fiction.

Sex exists whether or not it is recorded at birth. It is a matter of bodies, not paperwork. Hence we would view with concern any move to replace a question about sex with a question about sex recorded or registered at birth. There are practical, as well as philosophical, considerations against effecting such a change: UNICEF calculated in 2019 that there were 166 million children in the world whose birth had not been recorded <https://data.unicef.org/resources/birth-registration-for-every-child-by-2030/>. Further, the NGO Pathfinder estimates that 200,000 Aboriginal and Torres Strait Islander people do not have a birth certificate <https://www.pathfinders.ngo/projects/aboriginal-birth-certificate-project/#:~:text=An%20estimated%20200%2C000%20Aboriginal%20and,this%20simple%20but%20>

Accordingly, a census question requiring respondents to state their 'sex recorded at birth' would conceivably pose difficulties for a number of immigrants and indigenous people whose births were not recorded in early infancy, and who would now be required to answer the question (Section 14 of the Census and Statistics Act 1905) without providing false or misleading information (Section 15 of the Act).

Further, sex is not 'assigned'; it is observed.

We urge the ABS to actively resist any pressure to replace the category of 'sex', understood as an immutable biological reality, with 'gender' or 'gender identity'.

Likewise, we urge the ABS to actively resist any moves to regard the entire topic of sex – regardless of how the term is defined – as superfluous and unnecessary for data-collection, or too hard. We are aware that such moves are afoot to this end in Australian institutions, both public and private. For example, the Australian Workplace Equality Index (AWEI) – a program of the GII lobby group ACON – gives full points to participating organisations if they remove 'gender options' (by which they actually mean 'sex options') from their data-collection systems (Question 17, AWEI Standing Submission form). In that regard, we are dismayed and alarmed to see an ACON director, Teddy Cook, featuring prominently as an ABS reviewer – <https://www.abs.gov.au/articles/analysis-non-binary-sex-responses>. We urge the ABS to ensure the experts it consults are fully cognisant of the importance of collecting data on sex.

Sex-based data is vital for understanding population dynamics and equality monitoring. However, statistics produced on the basis of answers to the sex question in the census are of no use for monitoring, say, the relationship between women and poverty, or the increase in homelessness among older women, if men are allowed to answer that they are 'female'.

For what purpose(s) will you use the data? (Select all that apply)

Journalism/media, Other (please specify)

Other:
Advocacy

What is the smallest area or geography required to effectively use this data? (Select one)

Don't know

Other:

Is there other information you would like the ABS to collect and produce statistics on?

No

Additional information

Would you like to tell us anything else about your submission?

Freetext for additional information:

The ABS is the public body entrusted with collecting reliable data. The statistics it publishes command respect, and are used by researchers for a wide variety of applications. Where the ABS leads, other bodies are likely to follow. Many public bodies, regulators, and large and small employers have already ceased collecting diversity monitoring information about sex, and are collecting self-identified gender data instead. We call on the ABS to stand against this trend, for the sake of women and for the sake of the integrity of data collection.

Resist the use of terms such as 'assigned at birth', 'identify as', 'gender', 'gender identity', and 'cisgender'. All such terms belong to GII.

Resist any move to make a question on 'gender' or 'gender identity' a question for all census respondents.

Take into account the following experiences in recent censuses:

• The England and Wales census (21 March 2021):

1) In the lead-up to the census, women's rights group Fair Play for Women went to court to obtain a ruling on the guidance the Office for National Statistics (ONS) was providing about how to answer the 'Sex' question. The case is indicative of significant community pushback, especially among women, to bureaucratic GII-influenced attempts to undermine the category of sex understood as a immutable human biological attribute – <https://fairplayforwomen.com/sex-in-the-census-our-legal-challenge-to-stop-the-ons-redefining-sex-2/>

2) The census included a voluntary question for respondents aged 16 or over which asked if 'the gender you identify with is different from your sex registered at birth. If it is different, you can then record your gender identity'. It is good that this question was voluntary, as it meant that respondents were not required to 'identify with a 'gender'. However, an analysis by sociologist Michael Biggs, <https://osf.io/preprints/socarxiv/yw45p/> demonstrated anomalies in the data this question produced, strongly suggesting that the question was misinterpreted by a non-trivial number of immigrant respondents whose main language was not English.

Biggs also commented that this demographic is 'sadly ignorant' of GII. We suggest that such misunderstandings are inevitable, and not only due to language or education issues. Gender Identity Ideology lacks any coherence as a descriptor of reality. The inclusion of GII-generated terminology risks undermining public support for the census by including a question that respondents will rightly perceive as meaningless.

One particular group of respondents may also find such a question distressing or infuriating, namely detransitioners who feel they were deluded and misled by GII into courses of action which they now regret – <https://www.theatlantic.com/ideas/archive/2023/01/detransition-transgender-nonbinary-gender-affirming-care/672745/>.

3) As Biggs further notes, the ONS's research on the best way to formulate its gender-identity question was 'focused on one narrow segment of society' via testing at LGBT History Month community events, with no evidence that the ONS tested it on broader segments of the population. The terminology and tenets of GII are – quite rightly – not accepted by the vast majority of Australians, as we are confident would be demonstrated by any broad testing of any proposed gender-identity question.

• The Canadian census (10 August 2021):

1) Women's Space Vancouver denounced 'troubling changes' in the lead-up to this census – <https://www.womenspaceyvr.com/census-2021>. The concerns noted focused on the conflation of the categories of 'sex' and 'gender' and/or privileging gender at the behest of 'gender identity activists': 'Women, as a category, are being eliminated from political platforms, policy development, government action, and the justice system. The Census 2021 questions on gender identity deepen this dilemma.' This is further evidence of community pushback and resistance to the incursion of GII into the census process.

2) We are aware of at least one respondent who used the opportunity to comment at the end of the online census form to register his strenuous objection to the form of the sex question ('sex assigned at birth') and to being asked for his 'gender'. The use of such GII-generated terminology will, in our view, inevitably prompt such objections and rebellions, resulting in a deterioration in respondent willingness to complete the census form and damage to the standing of the census as a data collection instrument.

• The NZ census (7 March 2023):

1) Women's rights group Speak Up for Women objected strongly to an obligatory question on 'gender', in particular to the absence of an option for respondents to register their non-adherence to GII: They are asking you to answer an ideological question under the guise of a factual and definable concept' – <https://www.speakupforwomen.nz/post/do-we-really-count>

2) Speak Up for Women also ran a campaign in the lead-up to the census – <https://www.speakupforwomen.nz/post/census-questions-let-s-get-writing> – urging women in particular to lobby politicians, pointing out their difficulty in answering the gender question honestly; their concern that incorrect information about them would be recorded; and their perplexity at the prospect of having to compromise their values and provide false information.

The ABS can expect similar campaigns to emerge in Australia in relation to the 2026 census if it includes GII-influenced material. Opposition to GII is growing as its iniquitous effects become more apparent in women's sports, women's prison and refuge accommodation, women's public amenities, and women's right to freedom of peaceful assembly and association.

We do not wish to be placed in a position where we cannot simultaneously comply with Section 14 of the Act (provide information) and Section 15 (not provide false or misleading information). We will be so if the 2026 census includes mandatory questions derived from gender-identity ideology.