

Summary

On the question of name retention for four years, the ABS should be commended for "enabling better access to and use of the sum of the nation's most important data" as recommended by the Capability Review of the ABS by the Australian Public Service Commission

I am an academic with a particular interest and involvement in the accuracy of information from the census on Aboriginal health. I am familiar with many aspects of the work of the ABS both through my current role as a Honorary Professorial Fellow, Research and Innovation Division, University of Wollongong and in my previous roles, including that of Head, School of Public Health and Tropical Medicine, James Cook University; Foundation Director, Australian Primary Health Care Research Institute, Australian National University; and Principal Medical Epidemiologist & Executive Director, Health Information Branch, Queensland Health.

This submission is largely directed towards terms of reference a, b, e, f, and g below

- a. the preparation, administration and management on the part of the Australian Bureau of Statistics (ABS) and the Government in the lead up to the 2016 Census;
- b. the scope, collection, retention, security and use of data obtained in the 2016 Census;
- e. ~~arrangements, including contractual arrangements, in respect of the information technology aspects of the Census;~~
- d. ~~the shutting down of the Census website on the evening of 9 August 2016, the factors leading to that shutdown and the reasons given, and the support provided by government agencies, including the Australian Signals Directorate;~~
- e. the response rate to the Census and factors that may have affected the response rate;
- f. privacy concerns in respect of the 2016 Census, including the use of data linking, information security and statistical linkage keys;
- g. Australia's Census of Population and Housing generally, including purpose, scope, regularity and cost and benefits;
- h. ~~the adequacy of funding and resources to the ABS;~~
- i. ~~ministerial oversight and responsibility; and~~
- j. ~~any related matters.~~

The main point to note is that the Census response rate appears to have been tracking above expectations with no evidence of any adverse effect on this year's Census of the shut down of the online system on Census night or the reporting around the change to how long names and addresses would be retained. The ABS adaptive response strategies and new real-time response reporting processes have proven to be very effective and a great innovation for the 2016 Census.

It is difficult to escape the feeling that much of the debate about the retention of names for 4 years rather than the previous practice of 12-18 months, was not so much a debate about fundamental privacy principles, as the difference between 12-18 months and 4 years is essentially one of degree not principle, as about the findings of the Australian Public Service Commission (APSC) 2013 Capability Review of the ABS. The new Statistician seems to have been implementing the type of change recommended by the APSC, changes which were sought by at least some significant stakeholders (see extracts of the APSC Report below). It may well be that some former Statisticians had a different view about the interpretation of the ABS legislation and how to enable better access to, and use of, the sum of the nation's most important data but if so, those views were presumably not shared by the APSC.

"The ABS interprets the legislation strictly and conservatively. This is limiting the way data are currently released and accessed. External stakeholders do not accept that the legislation's intent is to be so constraining. There was a clarion call for the ABS to 'ease off a little on the independence' and consider how it could review its policies and procedures.

A range of users, including many government agencies, consider the application of this legislation to be an obstacle to realising the full potential value of the micro-data collected by the ABS..... Planned transformation and new infrastructure will address some of these issues, but a review of legislation and associated policies may also be a consideration for the new Australian Statistician....

The ABS has a choice— continue to maintain the orthodoxy of independence or partner with other government agencies, enabling better access to and use of the sum of the nation's most important data"

(CAPABILITY REVIEW Australian Bureau of Statistics, 2013, Australian Public Service Commission)

Contributions to the public debate by former Statisticians, could, on the one hand be seen as providing informed commentary on issues of public importance, but could also be seen as promoting views at odds with the APSC, and in a way which could have had a deleterious effect on the valuable reputation of the ABS itself, and of its most important service, the national census. As it has turned out, the census itself, seems on the currently available information, to have broadly achieved its aims and objectives.

The advantage of retaining names for four years can be seen particularly clearly with national estimates of Indigenous life expectancy, used by leading public figures from the Prime Minister down each year at the opening of Parliament in reporting on progress in Closing the Gap. These estimates are based on linking census and death records - in line with APSC recommendations. However retaining names for 12-18 months only provides a linked sample which is definitely too small to provide reliable estimates of Indigenous life expectancy for the jurisdictions and many believe, a larger sample, which can only be provided by retaining names for a longer period (say 4 years), is also required for reliable national estimates as well. A practical consequence of interpreting the ABS legislation strictly and conservatively (and in a way which appears to be contrary to legal advice provided to ABS) is to limit the availability and accuracy of data which is fundamental to reporting on issues of national significance and towards which substantial public funds are directed.

But is there a cost to privacy of this longer period of retention? It is clear that threats to the security of data are part of the modern world, for government, business and individuals. That threat is real and is there whether names are retained for 12 -18 months or 4 years, and must be countered by appropriate measures. The appropriate response is to take adequate measures to protect data, not to shut down useful and productive applications.

There will no doubt be discussions of whether the ABS and its contractors could and perhaps should have done more to avoid the shutdown, and if agencies, including ABS, can improve practice from such considerations, so much the better. But on the question of name retention for four years, the ABS should be commended for "enabling better access to and use of the sum of the nation's most important data"

Ian Ring