

Committee Secretariat

Senate Standing Committee on Economics

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Dear Committee,

I wish to make a submission on the 2016 Census Inquiry.

Hopefully all governments throughout the world will take notice of this monumental fiasco and learn from it and in the end the savings from the learnings will exceed the waste of \$400M of public money.

**a. The preparation, administration and management on the part of the ABS and the Government in the lead up to the 2016 Census;**

The ABS unswervingly pushed a series of mantras. One was that the 2016 Census was the largest peacetime operation in Australia. It has turned out to be the greatest disaster in peacetime yet the mantra continued. It is up there with the ceiling insulation debacle, the Myki ticketing system in Victoria and the ongoing disaster of the privatisation of essential services.

The ABS issued a significant public statement on the 18 December 2015 exactly one week before Christmas clearly wanting to minimise public awareness and debate. An old strategy but one with an obvious motive.

The ABS failed to enter into meaningful dialogue with the main Privacy Lobby group, the Australian Privacy Foundation. Why not?

The ABS seemed to have taken its eye off the ball here in Australia and seemed to be significantly influenced by methods that have been adopted in a small number of countries overseas.

The Australian public will no longer put up with government agencies using what they may or may not be doing in other jurisdictions as justification for a decision made in Australia because Australian citizens can simply verify the true situation in the other jurisdiction via the Net. Those days are gone. The days of all the way with LBJ are gone.

The ABS failed to explain how the Census data would be used and what limits would be placed on the use of any data collected.

The ABS failed to convince the public that the Government was not collecting the name and address to enable it to sell new products

**b. The scope, collection, retention, security and use of data obtained in the 2016 Census;**

I see the Census as involving 3 major activities namely

i convincing the public to voluntarily hand over what is their personal asset,

ii the use of that information and

iii all of the other aspects such as scope, physical collection, storage, security retention etc

Unfortunately the ABS has had 14 data breaches in recent years. As well it hosted Australia's biggest insider trader scam and just recently it had to apologise to its staff for releasing their email addresses to the public. Another of the ABS's many Mantras has been that there have been no leaks of Census data. The simple reason for this outcome is possibly that the information has had no value. But as names and addresses are added as is data from other government agencies and private sources the original Census data will have value and be a temptation and tantalising for both external hackers as well as disgruntled ABS staff and careless researchers.

The ABS has treated citizens with disdain. If a citizen expresses a different view to the ABS then the ABS says that the citizen believes in myths. The thinking of the ABS in relation to information gathering is archaic and out of step with thinking in the community.

**c. arrangements, including contractual arrangements, in respect of the information technology aspects of the Census;**

The ABS did not learn from IBM's involvement in the Queensland Government payroll disaster.

I do not support the processing of Australian census data by foreign multinationals offshore as they have no interest in the public interest and never claim to and why should they. It is an unnecessary risk in the Australian national interest.

**d. The shutting down of the Census website on the evening of the 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;**

Anyone with a minor knowledge of computer systems seemed to be very aware and very quickly of why the system failed yet the ABS seemed uncertain. The ABS clearly do not possess core IT skills and should not have been pretending that they did. It looked terrible.

The ABS did not seem to have and still not seem to have a Plan B for when something goes wrong. It appears to have set a course and no matter how crazy things went it has just ploughed on wasting any chance there was to salvage anything meaningful from the Census process.

The ABS did not appear to have done any scenario planning and its risk management processes for the Census appear to have been skipped. Surely someone in the ABS knows about SWOT.

**e. the response rate to the Census and factors that may have affected the response rate;**

The Census was doomed well before the 9<sup>th</sup> August 2016. I wrote and rang the offices of the Prime Minister. The Leader of the Opposition, the Treasurer and the Hon M Cormack as well as the ABS to suggest that unless they made an announcement that the name and address would only be used for the usual collection purposes that the Census would be a waste of public money and as rabbits in the headlights no one did anything and continues to do nothing to this day.

The former Commissioner of the ABS for nearly 7 years put out a logical statement advising that the collection of the name and address as data was unconstitutional. This view of an experienced public servant was matched by the view of a clearly inexperienced ring in technocrat to the ABS in the last 2 years who failed to persuade the Australian population that the action was legal.

The collector who came to my home had received 8 hours training and was unable to answer basic questions such as

- i what are the changes to the 2011 Census Process and
- li what was the intent of each of those changes

The collectors team leader was also a sub-contractor who was unable to provide answers to questions raised. The ABS did not appear to have a process in place for answering citizen's questions.

The ABS could not dispel citizen's concerns about:

- i the use of names and addresses
- ii the reasons for holding the names and addresses for 4 years
- iii merging "other information" with citizen's data for unknown purposes with unknown consequences

- iv carrying citizen's data forward
- v using citizen's data to flog new government products
- vi processing citizen's data offshore and
- vii keeping citizen's data secure

**f. privacy concerns in respect of the 2016 Census, including the use of data linking, information security and statistical linkage keys;**

The retained name and address will be used to generate anonymous linkage keys. They will support the integration of census data with other data sets, to provide new insights.

The ABS failed to explain this initiative. Does it really matter if my 2016 data is converted to a hash tag if it can be linked in the future to my latest census data? I object to my historic data being linked to me in any shape or form whether identifiable by name or simply a hash tag. If citizens want to do this then make it voluntary.

Another ABS Mantra is to continually say that a citizen's data is protected by legislation. History is full of examples of where future governments use census data from the past. The public will no longer accept this Mantra. Further saying that ABS staff will be scrupulously honest forever is silly. Jail penalties clearly do not affect disgruntled staff when they are in the middle of doing the wrong thing. (insider trader case) Has the ABS heard of Snowden and Manning? No one, not even the ABS, can promise the future and they should not start to do so.

Citizens do not want to be converted into digital images that the government agencies prefer to talk to and find easier to talk to. Citizens want to be engaged directly on matters that affect them rather than government agencies making decisions "in the citizen's best interest" based on a digital e-government created image of the citizen.

**g. Australia's Census of Population and Housing generally, including purpose, scope, regularity and cost and benefits;**

I have proudly participated in the Census process for 50 years. I have considered the Census process an Australian tradition. The ABS has wrecked that. The Census does not belong to the ABS. The ABS manages it. The ABS now has to repair the Census and get it back on track. It has 4 years to get its focus back onto the Australian national interest. The ABS can easily identify the Australian national interest by simply talking to Australians. The ABS is paid by the Australian public to operate in the national interest whatever that may be. We do not

want millions of Australians opting out of the Census on a permanent basis like they do with the Taxation system.

**h. the adequacy of funding and resources to the ABS**

Clearly appointing an outside person to lead the ABS has not worked. One would think that an internal appointee would have more feeling, skills, awareness and knowledge about the job. Technocrats not supported by a team of impartial experienced public servants are a total waste of money.

\$700,000 per annum is a huge salary for the performance delivered. Surely 4 senior public servants on \$150,000 pa each would have made a greater contribution to the 2016 Census process.

The ABS has lost its focus. It gets accolades from the UN and EU while the wheel have fallen off at home. The ABS needs to suspend all overseas junkets for 2 years until it gets its house in order. The ABS should be using the UN and the EU to achieve the Australian national interest goals not the UN and the EU using Australia to achieve their whacky goals.

Technocracy is "the science of social engineering, the scientific operation of the entire social mechanism to produce and distribute goods and services to the entire population". All Government agencies need impartial expert public servants to provide advice in the national interest. The ABS appears to be currently run by technocrats who have absolutely no awareness or interest in the national interest. It is simply a challenge to be overcome. Fly by night self-appointed self-important unaccountable experts can be useful secondary advisers but permanent impartial experienced public servants should provide the final advice.

**i. ministerial oversight and responsibility; and**

In May 2015 the Hon Joe Hockey MP Treasurer announced that the 2016 Census would be conducted on a comparable basis to the 2011 Census. That statement was clearly wrong.

Assistant Treasurer Kelly O'Dwyer going off and having a baby at a critical time of the process brings into focus the quality of the handover processes and accountabilities when the regular minister is not available for whatever reason.

The ABS Commissioner saying that privacy concerns were raised every time a census was conducted was not a helpful thing to say. His further comment that people are

more likely to tell the truth if they have to provide their names shows how out of touch he was with the Census tradition.

The appointment of a new Minister for the Census 9 days before the Census and his total disinterest in the subject did not help. It was clearly a panic crisis appointment. One could be forgiven for asking what was Michael McCormack promised in return for taking on this poison chalice? His comment that people already hand over information when they shop online, sign up to a supermarket loyalty program or log onto Facebook clearly displays his total lack of knowledge of the matter.

Christopher Pines criticism of Senator Xenophon as engaging in "tin foil hat" politics was a knee jerk dumb statement as history shortly proved.

The ABS is open and accountable to the Australian Community under the law and within the framework of ministerial responsibility

The Treasurer Mr Morrison is responsible for the Census mess. It occurred on his watch. He should now be held responsible to get the ABS back on track.

**j. any related matters.**

The Government should instruct the ABS to immediately suspend all activities with the UN and the EU for a period of 2 years to give it time to get its house in order.

There are numerous linkages between ABS staff and the UN, the EU and the World Bank involving Duncan Young, Johnathan Palmer, Ian Ewing, Gemma Van Halderen and Michael Davies. The list goes on and on. The freeing up of these resources to refocus the ABS will be significant. Thoughts of treason come to mind when considering the ABS support for the whacky Sustainability Develop Goals of the UN.

The ABS should be using the UN and the EU etc to meet the Australian National Interest goals rather than the ABS being used by these agencies to meet their whacky goals.

Australians are kidding themselves if they think that Australia with less than one quarter of one percent of the world's population is going to have any long term influence with organisations that promote world government fantasies and other whacky Sustainability Development Goals that include encouraging sodomy as a bone fide birth control method to restrict the earth's population to 500m people.

The involvement of the ABS and E Government partners needs to be reviewed and revisited. Australians do not want the data that they provide to one government agency for a single purpose to be provided to another agency for some uncertain use. If some citizens don't mind this happening then make it voluntary. Some

government agencies find it hard to resist this opportunity but they have to be told to stop and it is not on and is not in the national interest.

The ABS says it respects all people, including their rights and their heritage yet the ABS does not seem to respect a citizen's right to have a different opinion as the ABS consistently mentions fines.

The ABS says that it demonstrates leadership, is trustworthy and acts with integrity in all it does yet it was forced to admit that it held on to citizen's data for longer than it should have, just because it wanted to.

The Office of the Information Commissioner (OAIC) told the Guardian Australian it had received 14 data breaches notifications with regard to personal information held by the ABS since 2013.

The Canberra Times reported on the 20 May 2016 that a former Bureau of Statistics insider says he will risk prosecution rather than trust the Bureau with his personal data. Former ABS public servant Ross Hamilton says the Bureau is no longer the trustworthy institution many Australians believe it is and he is prepared to face the full force of the law rather than participating in the 2016 Census. The ABS was totally incapable of offering any responses to this criticism.

Clearly we have large numbers of Australians who are not prepared to give their personal information to unknown persons, possibly throughout the world, to be added to with other personal data from other unknown government agencies and private groups sourced both onshore and offshore for unknown purposes with unknown consequence for the citizen and possible forever. There are some Australians who adopt the she'll be right mate attitude, well, let them provide their data on a voluntary basis at their peril.

If the AFP and the ACC received intelligence that Abdul an alleged ISIS supporter and only Muslim living in Broken Hill was planning to blow up Parliament House in Canberra and the ABS had Abdul's address in Broken Hill I am not convinced that the ABS would not provide his address to the AFP or ACC if requested.

If we have the dog catcher at the Wyndham Vale Council accessing the Federal terrorist data base to identify the owner of a lost dog I have no confidence that ABS data such as names and addresses will not be shared when pressured that it is in the national interest to do so.

RECOMMENDATIONS

1. The printed material of the ABS needs to be updated. The material is uncertain and vague. Eg “We do not usually disclose your personal information and are unlikely to disclose your personal information to overseas recipients”

Eg “Any collection of data under the ABS Act is an overtly voluntary basis” yet the ABS is continuing to threaten fines. Fines should be for people trying to damage the process not people who have genuine concerns about ABS’s behaviour.

2. The ABS as well as its E Government partners have no idea of how to adopt a holistic inclusive approach to information gathering.. They need to hire staff that do have these specialist skills. ABS E Government initiatives should be suspended for a period of 2 years to provide an assurance that current privacy expectations are being met. Citizens will provide their private information if they are given assurances around their concerns. The ABS needs to gather information from willing citizens. Force and threats won’t work. The ABS has to convince citizens that it is in their best interests to share their personal information property with the agency and potentially with other agencies.
3. The Public Service Act says that public servants have to act honestly. I am not convinced that the material authorised for release by the ABS contain the whole truth and are not deliberately self-serving and not quite right. The Census material needs to be reviewed in the light of the standards expected under the Public Service Act.
4. Citizens want to know how their data will be used for the next 4 years BEFORE they provide it. The ABS should provide this information. The current situation is very vague and totally unacceptable. Citizens do not want to hear about it after the event when it is possibly too late.
5. The ABS has to learn to embrace feedback not put up the shutters.
6. The Privacy Commissioners around Australia appear to have failed to protect the interests of Australians. It took former Privacy Commissioners to show some courage to raise the alarms. Clearly the roles of the Privacy Commissioners need to be looked at.
7. The ABS needs to urgently establish ongoing relationships with all key stakeholder groups to ensure that they can identify and deal with issues at the earliest possible time.
8. ABS training for analysts has major gaps. Information gathering must be a core subject for any analyst training. After all the information belongs to the citizens and the ABS is supposed to be working in the best interest of the owners rather



than some other motivation. Other issues that require a greater focus in training include integrity, ethics, morals, transparency and respect.

There is a lot of work to be done to restore the integrity of the ABS. It needs to involve a cultural revolution.

Yours sincerely

Michael Ryan

