

**GOVERNMENT RESPONSE TO THE HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
REPORT, "SAVING OUR CENSUS, AND PRESERVING OUR HISTORY"**

Recommendation 1

The Committee recommends that name-identified information contained in forms from future censuses be retained.

The Committee further recommends that specific legislation be implemented to provide for the retention of name-identified information from all future censuses.

The Government agrees with the Standing Committee that saving name-identified census information "for future research, with appropriate safeguards, will make a very valuable contribution to preserving Australia's history for future generations". The Government also recognises the historic value of such information, particularly from the 2001 Census coinciding as it does with the Centenary of Federation, as the dataset would be a valuable commemorative activity and a 'gift' to future generations from the nation of today.

However, the Government is concerned to maintain the current very high levels of public confidence in the census and is concerned that mandatory retention of name-identified information would reduce the quality of the dataset. The Government has, therefore, decided to retain name-identified census information from the 2001 Census, but only for those households who explicitly consent to their information being kept. The question on retaining census records from subsequent censuses will be addressed after the impact of this decision for the 2001 Census has been assessed.

The necessary legislative changes to achieve this have been passed by both Houses.

Recommendation 2

The Committee recommends that name-identified census records be closed for a period of 99 years, and that no researcher have direct access to name identified records during that time. The Committee recommends that name-identified census records be made available in the 100th year.

The Committee further recommends that appropriate legislation be implemented to give effect to this recommendation.

The Government agrees that a closed access period of 99 years should apply to the name-identified 2001 Census information of those households who explicitly consent to their forms being kept .

The necessary legislative changes to achieve this have been passed by both Houses.

Recommendation 3

The Committee recommends that a stated purpose of the census be that name-identified information be available for possible future research.

The purpose of the 2001 Census will be changed so that name-identified information will be retained for research purposes after 99 years.

Recommendation 4

The Committee recommends that during the 99 year closed access period the census records be able to be accessed by the Australian Bureau of Statistics for the purpose of certain epidemiological research.

Access for the purpose of such research is to be strictly limited to applications put forward under protocols developed by the National Health and Medical Research Council. The applications must have received the prior approval of the ethics committee of the institution with which the researcher is associated.

The Committee further recommends that the NH&MRC protocols take the form of disallowable instruments.

The Government considers the matching over time of name-identified information from the 2001 Census with various administrative records raises many important and sensitive privacy issues which would be very difficult to justify to the public within a census context. The Government does not support this recommendation.

Recommendation 5

The Committee recommends that census information continue to be processed and handled only by officers of the National Archives of Australia or the Australian Bureau of Statistics.

The Government agrees.

Mr HOCKEY (North Sydney—Minister for Financial Services and Regulation) (3.29 p.m.) — by leave—I wish to inform the House that the Australian Bureau of Statistics will conduct the next national census of population and housing on 7 August 2001. Many Australians will view this census as a very significant event, given that it takes place in the centenary year of Federation and that it is the first census of the 21st century. Australians 100 years from now will take a similar view of this particular census. Indeed, in one thousand years time, Australians will be able to use this census as a snapshot of how their country looked at the dawn of the passing millennium. We are celebrating the 2nd millennium of one of the most famous censuses of all time, the Roman census, which occurred around the time of the birth of Jesus Christ.

This census is the most wide-ranging collection ever undertaken by the Australian Bureau of Statistics and involves contact with each and every household in the nation. It provides a statistical snapshot of the whole population in terms of number, age and geographical distribution, plus a range of other statistics. The vast numerical output that the census generates is used for the benefit of all Australians. Government agencies at the federal, state and local level, social service organisations, churches, research institutions, businesses and private individuals use census information to help in their planning, administration, policy development, program evaluation and research. Census information also tells us about our community and about the society in which we live.

The government acknowledges that a census involves some intrusion and some workload for the community. However, the benefits of the census far outweigh the inconvenience of filling out the necessary forms. In fact, it is a time investment of less than half an hour per household every five years. Australians understand these benefits and, as a result, the census has always received a very high level of public cooperation. It is essential that this continues so that we can ensure all Australians get the benefit of only the highest quality data. To make sure this happens, there will be a public awareness campaign before and during the 2001 census. This campaign aims to maintain high quality responses to the census by showing the public that the statistics are useful and that they will be treated with total confidentiality. The campaign will also promote the availability of help for any Australians who may, for language or other reasons, have difficulty completing the census form.

The Census and Statistics Act 1905 requires that census topics must be prescribed in regulations. So that the parliament and the general public are fully informed about the questions in the census, the Australian Bureau of Statistics has written an information paper entitled *2001 Census of population and housing: Nature and content* which describes the topics to be included and the procedures for conducting the census.

For the first time an Australian census will include questions on access to computers and Internet use. Given the growth of the new economy and the potential impact of the World Wide Web on the lives of everyday Australians, the inclusion of these questions is most timely. Understanding just who has access to computers and who uses the Internet will be invaluable to both government and private organisations, particularly in regional and rural areas. The 2001 census will also repeat the 1986 question on ancestry to better identify the ethnic background of first and second generation Australians.

The government considers that the topics selected for the census represent a reasonable balance between the need for information, the appropriateness of the census as a means for collecting different data, the cost of the project and the need to ensure that it does not impose too great a burden on the public. The Australian Bureau of Statistics will conduct final testing for the 2001 census in the first half of this year to decide on the final definitions, the wording and the sequencing of questions. This 2001 census is the result of much research and extensive public

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consultation. I am happy to say that the government has decided to accept the thrust of the recommendations of the House of Representatives Standing Committee on Legal and Constitutional Affairs entitled *Saving our census and preserving our history*. The government agrees with the standing committee that saving name identified census information for future research, with appropriate safeguards, will make a valuable contribution to preserving Australia's history for future generations.

The government also recognises the historical value of this sort of information, particularly with the 2001 census coinciding with the centenary of Federation, and considers the data will be a valuable commemorative activity and a gift to future generations from the nation of today. For this reason, the government has decided to retain name identified census information from the 2001 census, but only from those people who agree to their information being kept. In other words, the census will have an opt-in clause. This means that Australians will have to specifically agree to have their name identified census data being kept for a closed access period of 99 years. During this time no-one will have access to the information. The parliament has considered and accepted the necessary legislative changes to effect this one-off retention of name identified census data of Australians who have chosen to be part of this initiative.

For the information of members, I table the Australian Bureau of Statistics information paper and the government response to the *Saving our census and preserving our history* report. The regulations specifying the matters to be included in the 2001 census, in accordance with sections 8 and 27 of the *Census and Statistics Act 1905*, were tabled on 3 April 2000.

Mr Snowdon interjecting—

Mr SPEAKER —The member for Northern Territory is warned.