

# ABS slammed for breach of trust over 'intrusive' 2016 Census data matching plan



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Former ABS director Bill McLennan: "What [the ABS is] doing now is breaking all the principles under which the survey was done." Sean Davey  
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Australia's former top statistician and a leading privacy group have slammed the Australian Bureau of Statistics for quietly reinstating a plan defeated a decade ago to retain names and addresses from the 2016 census, opening the door to future governments accessing sensitive personal information.

The move, which was done without fanfare and announced on the Friday before Christmas week, throws the credibility of the \$272 million Census into question because the public may no longer trust the government enough to provide full and frank answers to highly detailed personal, religious and financial questions.

Bill McLennan, the nation's top statistician between 1995 and 2000, and the Australian Privacy Foundation say there is no way to guarantee a future government won't change the law to access the personalised data.

"They're not going to sell this to the public when it realises what's going on," said Mr McLennan, who said he was speaking out because he wants to avoid this year's census going down as a costly disaster.

Noting that around 19 per cent of Australians surveyed by the ABS in 2015 expressed a lack of trust in the institution, Mr McLennan told *The Australian Financial Review* there was a considerable risk that a large number of people would engage in "an active civil disobedience" campaign. "You may as well not run the census."

Kat Lane, vice chair of the independent Australian Privacy Foundation, described the move as an "appalling breach of trust," saying Australians will be shocked at the "intrusiveness" of the ABS's plans.

"We give this census information so they can plan for our futures - not so they use it inappropriately," Ms Lane said. "It was never supposed to be a data warehouse of information, particularly with names where you can connect the dots."

Outrage at the move is the latest in a series of missteps in recent years by the bureau, which has come under fire for making ill-advised changes to the crucial monthly labour force survey, and saw its credibility severely damaged by an insider currency trading scandal in 2015 involving one of its officials. There have also been complaints that the bureau has allowed its "institutional knowledge" to be eroded following successive years of budget constraints.

The bureau says it will retain names and addresses from this year's census, rather than destroying them, and will then create "anonymous keys" to allow individual's data to be linked with other pools of information.

Duncan Young, head of the 2016 census program, insisted there was public support for the move based on focus groups conducted by the bureau that showed people want the ABS to engage in broader data matching.

"The message we got from people is that this is the kind of thing they expect of us," he told the *Financial Review*.

Mr Young added that the bureau had a "long history" of managing sensitive data, and that it would use the lead up to the August 9 census date to educate the public about "security mechanisms, efficiency gains and the way we get greater value from the data, and about the way we store and manage the census."

Despite those assurances, there remain serious questions about whether the public would support the changes given that only around 50 per cent of Australians voluntarily "opt-in" to a program that allows names and addresses and census data to be kept by the National Archives for 100 years before being released.

That choice was introduced in 2001, and the lack of a large majority of support for it suggests there is still "a significant underlying level of community concern about storing census records," said Mr McLennan. "Of course the setting up of a name and address register by the ABS is a much more sensitive issue."

The bureau's decision comes 11 years after it was forced to dump the same plan following a damning report - commissioned by the ABS itself - by privacy expert and former federal privacy commissioner Nigel Waters was reported by the *Financial Review*. Mr Walters warned that despite the ABS's privacy and secrecy safeguards, there was no guarantee a future government wouldn't change the law to access the sensitive information

Mr McLennan said retaining names and addresses would undermine a long-standing foundation for the census that is based on trust between households and the government that the information would be used purely for statistical purposes.

"What happens when a future government suddenly decides it wants information about terrorism in Australia and passes legislation with one line that gives them that information," Mr McLennan said. "That can happen in half a day."

Ms Lane, from the privacy foundation, blasted the bureau for the way in which it has introduced the change, which was announced in the traditional end-of-year media vacuum created by the Christmas break, and accused it of failing to consult widely with civil, non-government organisations and community groups about the change.

"They've seriously abused the trust of the Australian people and done it in such a way that the Australian Privacy Foundation didn't get a chance to submit a response. They never even wrote to us," she said.

According to the bureau's website, the ABS's proposal was reported in just two media outlets, a public service news website and an information technology site, and that it received only three public submissions, all of them opposing the plan.

"It's highly unlikely that the general population has any idea what has been proposed," Mr McLennan said. "A media release from the ABS on Friday 18 December announcing the proposal, seemingly, wasn't reported anywhere in the press.

"The sooner the problem is realised, the better chance the ABS has of implementing change and selling a workable census proposal to the public."

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*Submitted by: Roger Buhlert – Cardinia Shire Council*