

Submission to the Senate Economics References Committee, on the 2016 Census

**Australia's policy on destruction of census materials came about by accident rather than thoughtful policy.**

Submission by Emeritus Professor of Demography, Terence H. Hull, Australian National University.

*Addressing the terms of reference: This submission on the history of the Australian census privacy policies is relevant to the following terms of reference:*

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

**Summary:**

Australia is unusual among Anglo-Saxon countries in having policies for the destruction of completed census forms on grounds of privacy concerns. Notably the UK and USA have a long history of preserving census forms indefinitely. By saving these materials the Statistical offices have the responsibility to protect the records forever. The forms are publicly released for purposes of historical, epidemiological, or genealogical study after a period of time that ensures the protection of sensitive or highly personal information. For many Australians the destruction of census records is nothing short of vandalism. A thoughtful policy would begin with the goal of protecting the personal data of every citizen recorded in the census, while ensuring that paper or digital records are also protected as a perpetual legacy to future generations.

**Extracted from: Presidential Address for the 2006 Conference of the Australian Population Association. By Terence H. Hull. The strange history and problematic future of the Australian census. Article in Journal of Population Research 24(1):1-22 · March 2007. DOI: 10.1007/BF03031876**

**At the outset there was no thought that census documents would be destroyed.**

While the preserved documents from Nineteenth Century musters and censuses may be greatly valued by some in the community, there are also detractors who regard any such government listings as an intrusion on privacy. While not saying so explicitly, such critics appear to crave past, contemporary and future anonymity, and at least the freedom from any record that is kept by government. This opposition to the preservation of individual census records has become a distinctive element of Australian government culture. Privacy groups and newspaper commentators treat the census as an icon of government intrusion, and at the extreme call for census taking to be stopped entirely.

In response the Australian and State Bureaus of Statistics proclaim the total confidentiality of the census, describing how names will be stripped from the files and individual records will be destroyed almost immediately after they have been processed. The recent exceptions have been the current plans for record linkage facilitated by preserving named records for four years, and the compromise agreement in 2001 and 2006 to allow people to request the preservation of their personal census records through ticking a box at the end of their form. The microfilms of these records (or other storage format) are to be kept under lock and key and will only be made public after 100 years. If people do not tick the box, their personal identity will be removed from the data sets – effectively erasing them from the snapshot of census history.

Most people have no clear understanding of how such preservation of personal details would help them or their descendants. Citizens of the UK, Canada and USA have complete access to the census records of their communities following a waiting period of 100, 92 or 72 years, respectively, after which time the documents are accessible by historians, epidemiologists and genealogists.

By contrast the embargo on politically sensitive Government Cabinet documents tends to be only 30 years, and in 2006 the United States Government announced the implementation of a Clinton era policy that secret documents would automatically lose their classified status after 25 years, unless agencies could argue that there was still a clear need to maintain the secrecy for specific documents (Shane 2006).

Australia's destruction of census records is both unnecessary as a means of respecting privacy and harmful to the establishment of a true national identity and a truly 'popular' history of the nation. This argument requires a review of the history of the Australian census, and an understanding of how the destruction of individual records came to be policy. It also needs a leap of imagination to consider what we have lost through the destruction of individual records in the census. Preservation of the full portrait of the population is an affirmation of mutual respect among all residents. It affirms ways in which our community can work to protect our future history through the full preservation of all individual census records.

### **British census practice in Australia.**

From the outset, government census activities have been oriented toward very immediate practical concerns, and often these have provoked resistance from a populace that does not totally share government priorities. In the early colonial era Governors ordered regular counts of the population in the form of military style musters. At that time there was no concern about the Indigenous people even when they lived within sight of the colonists. Aborigines were not regarded as members of the new community the British established in Sydney Cove and hence were not part of the population (Briscoe and Smith 2002: 16-40). Instead only convicts, guards and settlers were ordered to present themselves to authorities to report their name, sex, age, status (convict, ticket-of-leave, other) and place of abode. Such simple lists were needed to monitor population numbers, to order provisions from the Home Country, and to set out farms for the new colony.

The Australian colonies followed Britain in the development of methods of scientific census, with standardized questionnaires, collection procedures and tabulation methods. The counts handled some population groups differently. While they were not regarded as part of the official 'population', increasingly Aborigines with links to the colonies were promised provisions and so-called 'blanket' musters were held to list the names of recipients and eligible family members. Over decades, specific ethnic or national groups attracted special attention in the census activities. The collectors' books from the 1891 census were set out in columns that distinguished Chinese and Aborigines from the rest of the population. Such identification of the 'other' a century ago may offend our contemporary values of equality and fairness but it is today a major tool for social scientists trying to understand the history of disadvantage in Australian society.

By the end of the nineteenth century Australia had undergone a total transformation. Pastoral expansion, the discovery of gold, and a steady stream of migration to establish colonies on the perimeter of the large island continent had created a brash and proud society. These developments were coincidental with the elaboration of Empire in the reign of Queen Victoria, and the efflorescence of industry and trade. In Sydney the pride in material progress culminated in the Sydney International Exhibition of 1879-80, in the grand Garden Palace built in the Botanic Gardens off Macquarie Street, across from the present-day Mitchell Library. Once the visitors had gone home and the stands established to display the material possibilities of the age were knocked down, the government resolved to use the huge space for the public good. Within months the upper storeys were available for concerts, balls and public meetings, and the cavernous halls of the basements turned over to government offices. These spaces offered a wonderful opportunity to store the large amounts of paper generated by the servants of the Queen. Most of the census documents of many colonies were dutifully stored there along with reports on the economy, and all the household forms collected during the recent decennial censuses were carted into the halls. Like the government back in Britain, the New South Wales colonial administration took the stacks of paper to be symbols of scientific government, and order and completeness were bywords.

At three a.m. on 22 September 1882 two senior constables discovered a fire in the lower levels of the complex. The stacks of paper and the wooden construction combined to create an inferno and produced total destruction within an hour. The 23 September edition of the Sydney Morning Herald recorded particular concern over the loss of the 1881 census materials. It noted that the census report was already overdue, and Mr John Byron, the compiler of the census report, had completed 'a large portion of the details of the work — embracing particulars concerning the national, educational, religious, and social and conjugal conditions of the people of various towns, and it was to have been placed in the hands of the Government Printer to-day' (Sydney Morning Herald 1882). The newspaper expressed a hope that some of the material might be recovered if enumerators had by chance kept duplicates of the census returns. So far as we know there were no such duplicate forms.

Ashes were all that remained of the New South Wales census of 1881 and indeed the same fate befell other materials stored in the building including the censuses of 1846, 1851, 1856, 1861, and 1871. Three points need to be made about this incident.

1. Individual census records were being stored because the government intended to preserve them for posterity. Their destruction was totally accidental.
2. Census records, unlike items of correspondence, copies of government reports, and records of official meetings, were unique. There was no possibility of retrieving the information of individual census records from the Home Office or other storage centres. The fire totally destroyed the individual records of half a century of census taking in the first and most populous Australian colony.
3. Once all those censuses were destroyed Australia was bereft of the opportunities that the UK and USA were developing, and it became easy for bureaucrats and politicians to rewrite the disaster of the loss into a narrative on confidentiality.

The loss of such a valuable set of documents occurred at a particularly sensitive time in the development of social statistics. Where the old musters had been seen as a very practical effort to gauge demand for food and clothing, by 1880 those planning censuses had a much broader and deeper agenda. Population structure was emerging as a primary issue for planning, and everything from the layout of towns to the construction of schools, hospitals and market places required information on the rate of growth and distribution of population. The Sydney Morning Herald's concern about the loss was divided between anger that a collection costing the huge sum of £24,000 could be destroyed so easily, and regret that towns would now 'never know what their actual growth was during the 10 years that have elapsed since the census was taken in 1871' (Sydney Morning Herald 1882). Their frustration also touched on an element of colonial pride. The 1881 enumeration was the first simultaneous census spanning the Empire (Coghlan 1894), and already New South Wales was later than the other Australian colonies in producing a census report. Now they would be known not only for tardiness, but also for carelessness.

While New South Wales had lost their census inadvertently, the same was not the case in Victoria. There, in 1891, the Government Statist, Henry Hayter, faced a terrible dilemma when police officers approached clerks in the census office to gain access to individual household schedules to assist in tracking down wanted criminals. The clerks refused to relinquish the papers because of the penalties in the census act against any official who divulged personal information. Any breach of this regulation attracted a heavy fine of £20, and theoretically fines or imprisonment could be imposed. Hayter destroyed the forms rather than turn them over to the police. Other countries found ways to safeguard paper records, but Hayter did not trust the politicians to control the appetites of the police for information. A century later people learned the irrational meaning of the term "we had to destroy the village in order to save it". In Victoria they decided to destroy the census in order to protect it.

Fast forward 13 decades and we face today a similar contrast of issues about the loss of census records and the claims of threats to confidentiality. Privacy advocates want to remove government from personal data collection. Genealogists and researchers want to preserve the most valuable of social science resources. The conflict is puzzling given the long practices of preservation found in UK, USA, Canada and other countries. It is important to protect some personal information from hackers and vengeful enemies, but the vast bulk of census information is benign in the immediate future, and valuable in for the interests of coming

generations. We need to have policies and budgets that safeguard and preserve our regular collection of national selfies.