



HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

Reference: Treatment of census forms

CANBERRA

Thursday, 25 September 1997

OFFICIAL HANSARD REPORT

CANBERRA

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

Members

Mr Andrews (Chair)

Mr Andrew	Mr Mutch
Mr Barresi	Mr Randall
Mrs Elizabeth Grace	Mr Sinclair
Mr Hatton	Dr Southcott
Mr Kerr	Mr Tony Smith
Mr McClelland	Mr Kelvin Thomson
Mr Melham	

Matter referred to the committee for inquiry into and report on:

The treatment of forms from future population censuses.

The inquiry will examine the issues surrounding the destruction or retention of census forms. It will focus on whether the current practice of destroying census forms after processing should continue or whether they should be retained for medical, social and genealogical research.

WITNESSES

CARMICHAEL, Dr Gordon Alexander, Fellow, Demography Program, Australian National University, Canberra, Australian Capital Territory, 0200	352
CAVALIER, Mr Rodney Mark, Chairman, Advisory Council on Australian Archives, PO Box 34, Dickson, Australian Capital Territory 2602	364
JELFS, Dr Paul Laurence, Head, Disease Registers Unit, Australian Institute of Health and Welfare, 6A Traeger Court, Fernhill Park, Bruce, Australian Capital Territory 2617	336
MADDEN, Dr Richard, Director, Australian Institute of Health and Welfare, 6A Traeger Court, Fernhill Park, Bruce, Australian Capital Territory 2617	336
MATHERS, Dr Colin Douglas, Principal Research Fellow, Health Division, Australian Institute of Health and Welfare, 6A Traeger Court, Fernhill Park, Bruce, Australian Capital Territory 2617	336
McDONALD, Professor Peter Francis, Coordinator, Demography Program, Australian National University, Canberra, Australian Capital Territory 0200	352
McLENNAN, Mr William, Australian Statistician, Australian Bureau of Statistics, PO Box 10, Belconnen, Australian Capital Territory 2616	370
McLEOD, Mr Ronald Neville, Member, Advisory Council on Australian Archives, PO Box 34, Dickson, Australian Capital Territory 2602	364
SKINNER, Mr Tim, Deputy Australian Statistician, Australian Bureau of Statistics, PO Box 10, Belconnen, Australian Capital Territory 2616	370
TAM, Dr Siu-Ming, Assistant Statistician, Australian Bureau of Statistics, PO Box 10, Belconnen, Australian Capital Territory 2616	370

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Present

Mr Andrews (Chair)

Mr Hatton

Mr Mutch

Mr McClelland

Mr Randall

The committee met at 4.06 p.m.

Mr Andrews took the chair.

JELFS, Dr Paul Laurence, Head, Disease Registers Unit, Australian Institute of Health and Welfare, 6A Traeger Court, Fernhill Park, Bruce, Australian Capital Territory 2617

MADDEN, Dr Richard, Director, Australian Institute of Health and Welfare, 6A Traeger Court, Fernhill Park, Bruce, Australian Capital Territory 2617

MATHERS, Dr Colin Douglas, Principal Research Fellow, Health Division, Australian Institute of Health and Welfare, 6A Traeger Court, Fernhill Park, Bruce, Australian Capital Territory 2617

CHAIR—I declare open this public hearing of the committee's inquiry into the treatment of census forms. The subject of this inquiry is whether the current practice of destroying name identified forms after the data is collected from them should continue. To date we have taken evidence in Canberra, Perth, Adelaide, Brisbane, Sydney, and Melbourne.

I welcome witnesses from the Australian Institute of Health and Welfare. I thank you for coming back today, as we were not able to reach you on the previous occasion. We appreciate that. Although the committee does not require you to give evidence under oath, I should advise you that these hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the house itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament.

We have been warned that a division is impending, so if the bells ring we will have to adjourn. We have received your submission to the inquiry. Do you care to make some opening remarks?

Dr Madden—I would, just to highlight some points in the submission, if I may. The first issue is probably a pretty trivial statement, but I think it is one that needs to be kept in mind. There are many ways to conduct a good census. Different countries follow different practices and, in their own view at least, conduct good censuses. I think many of the countries that are rated as having very high quality statistical systems do adopt different approaches to the census, so it is important to keep in mind that there are different ways to do things.

The second thing is to re-emphasise that a quality census is a very important item. It has been made clear to you in a variety of submissions how important it is for some administrative purposes, such as distribution of money to the states and the apportionment of the House of Representatives, but I wanted particularly to emphasise the role of the census as the basis of Australia's statistical system. Without a good census, you cannot have a good survey system, and the whole of Australia's population survey program—the base of our social statistics—depends on that census being of high quality. We certainly see the maintenance of a quality census as a primary issue.

The third thing is that we do not support release of data from the census. We think that there is a real risk that the perception of release will change the response rates. We are not expert in that matter, but we think that is a very great risk, and we are opposed to the release of data outside the ABS.

However, the most substantial point of our submission is that we think that retention by the ABS, for linkage with other data sets or for linkage with subsequent censuses, is something that should be given more

consideration for health and social research purposes, which is our concern, but also for other research purposes. The ABS is well capable of doing that, and it can now be done fairly cheaply. The economics of that would now be very good, whereas in the past they would have been very difficult. There is evidence that we have drawn to your attention in our submission that that sort of use has been of great benefit, particularly in the United Kingdom, where the practice of retaining a sample of census records has been in place since 1971. With that, we are happy to answer any of your questions.

CHAIR—You have indicated in your opening remarks and in your submission that you do not support release, but you do indicate that you support the retention of the records for research purposes, with cross-matching of census and other records done by the ABS. Would you care to elaborate on that for us? How do you see that happening?

Dr Madden—The ABS would clearly be able to do the linkage between census records. It is possible to have a probability linkage between census records without any identification number on the record, by using items such as people's names, date of birth, sex and so on. You can get quite high probability matching, and there is quite a developed theory about that sort of matching, so that can be done.

The same thing can be done with other data sets by similar means. Some of those data sets might be held by the ABS, but many of them would be held by our institute. We collect a lot of administrative data on hospital activity, cancer registers and so on, which we could provide to the ABS for linkage by the ABS; and their output back to us or to the public would be aggregate data and not identifiable data. The ABS would act as a warehouse, in that sense, for the linkage of other people's data sets to census data.

CHAIR—Is that what happens in the UK, enabling them to do their longitudinal surveys since about 1971?

Dr Madden—They keep the records of four dates of each year, which is about one per cent. They add births on those dates to that set, and take away the deaths and migrants; so they keep up a one per cent sample of a population and then they link with that other records that they hold.

The Office of Population and Census in the UK, which has now merged into the Office of National Statistics, had a wider range of health data sets than the ABS has here, so it started with a better base of data to link, but it has been doing that. I would like to invite Dr Mathers to make some more comments about that.

CHAIR—You could have that on notice for the moment, Dr Mathers. We have to go to the division, so we will pick it up when we come back.

Short adjournment

CHAIR—We will resume the hearing. Dr Mathers, can you continue.

Dr Mathers—I want to briefly discuss some of potentials for benefit of census linked data, particularly in terms of health research. The English experience is quite relevant and is outlined in our

submission. A number of other countries in Europe have also done similar census linked studies and retained census data.

In terms of our interest, the potential from linking identified census data, through name and other fields, to health data collections, like death registration data, cancer incidence data, hospitalisation data and so on, is that you get a longitudinal picture of the outcomes, in health terms, for earlier experiences of people, particularly in terms of socioeconomic conditions, place of residence and a whole range of factors related to the environmental circumstances of the person.

It is usually very difficult to conduct explicit longitudinal studies where you go out and follow people for a great length of time. They are extremely expensive and they take up a lot of time in terms of individuals' involvement. If you do things retrospectively by asking people about their circumstances at earlier periods of time—exposure to hazardous chemicals or whatever—you have problems of bias in memory and so on. The advantage of using census linked data is that you have a series of points in time where you have a description of characteristics of the individual, the family, the household and the place they are living, which can be linked to health outcomes later.

In Britain, the sorts of studies they have done which have been of some significance have been particularly in the area of relating mortality to employment, occupation, unemployment and so on. One of the key studies has shown that unemployment and occupation are associated with mortality outcomes in a causal manner, as well as there being selection effects—that people who are sick change occupation or become unemployed. There are also both socioeconomic class effects and effects of unemployment.

Similar studies have looked at the association of cancer incidence both with socioeconomic conditions—that is, that people in particular strata have a greater risk of cancer—and with area of residence—that is, that people in some areas which may be linked to particular exposures or in certain occupations have a high risk of cancer.

In Australia, that may be relevant to questions such as: do the people who worked at Wittenoom experience a high risk of cancers, mesothelioma and other things? The difficulties of tracking and following people now are much greater than if you had an ability, from a census, to identify people by name who were in the town in a certain period of time and then, just through record linkage, look at the mortality and the survival experience of those people.

Similarly, with the study that the institute of health has been involved in with the Department of Veterans' Affairs on the mortality experience of Vietnam veterans, there were major issues in identifying and finding Vietnam veterans now and identifying whether they were alive or dead. Again, if you had a record linkage study you potentially could solve a lot of those problems.

Another area which may be of particular interest to Australia is Aboriginal health and mortality. At present we attempt to estimate Aboriginal mortality and life expectancy through identification of Aboriginals on death certificates. In the eastern states that identification is fairly poor for a whole lot of reasons, despite a lot of efforts to improve the completeness. Hence, we do not really have good information on Aboriginal health in the eastern states, in New South Wales and Victoria particularly. If census data were available and

Aboriginals were identified on the census, there would be the potential, if you linked that with deaths data, to get good and complete estimates of Aboriginal survival, mortality and life expectancy at very little expense.

I have focused on health. Longitudinal data from linked census studies has also played quite an important role in Britain in studies of family formation and break-up, fertility patterns, migration within the country, patterns of migration and retirement, and a range of welfare issues. The Institute of Health and Welfare has quite an interest in welfare issues. There is a potential, probably largely unexplored in most countries, to use these sorts of linked data to illuminate a lot of welfare issues.

CHAIR—If the data was to be retained, should it be available to all genuine researchers, subject to the normal ethics committee approvals?

Dr Madden—What we are arguing is that it should not be released, it should be done by the ABS, that the linkage should be there. The ABS would need to develop a process for doing that. Essentially, if I could analogise, it is a black hole. Once data gets into the ABS it would never come out in identifiable form, and the ABS has a very high reputation for its quality and so on. We would love to get that data released to us. We have an act of parliament which governs our confidentiality in exactly the same way as the ABS, in fact, rather more flexibly because we do have an ethics committee.

We are not the ABS. Would could not pretend that we could give that sort of feeling of confidence to the community. You would have the ABS suddenly saying, 'Our data is never released to anybody except the Australian Institute of Health and Welfare.' Who are they? It would be a very difficult situation.

CHAIR—Sorry, I did not express myself as clearly as I should have. What I was really getting at was: should other bodies, apart from the Institute of Health and Welfare, for example, the Social Policy Research Centre and other equivalent bodies, have the same access to linkages of the data in the way that you are describing?

Dr Madden—Because the linkages would be done by the ABS, there would be no ethical problems in that situation. It would be a matter of how much could be done and what resources were available to do it. The ABS would have to apply quality control to the projects it was being asked to be involved in, but it could be very broadly used.

CHAIR—In terms of epidemiological research, would this fill the hole that exists at the present time, or would there still be areas where you need further data?

Dr Madden—It would not solve every problem of linking every data set but it would take us a long way down the track that we cannot go down at the moment, for example, the sorts of things that Dr Mathers has summarised. We really cannot do anything about it at the moment, other than at huge cost. He talked about longitudinal surveys, surveys that follow the same people over periods of time. He said they are expensive. They are not done in Australia. It is just not available, that sort of work.

Dr Mathers—In traditional public health terms, there has been a considerable focus on risk factors like high blood pressure, smoking, drinking and so on. However, it is being increasingly recognised these

days internationally that other social and environmental factors and perhaps broader ones like the circumstances people live in, the types of families they live in, income and so on, are equally important as determinants of health in the broad. Therefore, WHO and other bodies are increasingly focusing on these broader social determinants of health as levers for improving public health.

The problem a statistical agency like the institute has is that it is quite difficult to collect that broader information in health data collections. For example, to ask people what their income is every time they go into hospital is intrusive, expensive and probably would not be well accepted. Therefore, these sorts of census linked studies are one important vehicle which could potentially enable analysis of the linkages between health outcomes and some of the broader social and environmental determinants of health to be tracked repeatedly over time.

Quite a lot of the health data collections that we use have quite inadequate information on personal characteristics, and that is one of the big advantages that census linkage could offer.

Mr MUTCH—I was interested in your comments. You said that it was superficially appealing to release it after 100 years, but you did not agree with that concept. Am I correct in saying that you are saying that you are strongly in favour of retention for access for genuine research purposes, but you do not want it released after a substantial period time for general public research purposes?

Dr Madden—I suppose it is not our business as to what happens in that situation, but we certainly are aware of the ABS research on the impact of release at any time on people's attitudes to the census.

Mr MUTCH—Which research are you talking about?

Dr Madden—The research that the ABS has given to you in its submission.

Mr MUTCH—The famous McNair survey?

Dr Madden—I have not heard your comments on the survey, but what that survey—

Mr MUTCH—Have you seen the actual questions?

Dr Madden—No, I have not, I have only seen the commentary on it.

Mr RANDALL—The commentary from the ABS?

Dr Madden—In the submissions, yes. What that survey does not do, to my knowledge, is ask about people's views on retention by the ABS. It is all questions about release by the ABS.

Mr MUTCH—I agree.

Dr Madden—We are heavily influenced by the views of the ABS, and backed up by that information, but it is not our business as to whether the records are released after 100 years. In principle, we would like

the records to be released to us after six months but, in practice, that would be seen to be risky to the census. From where we are in Australia today, it would be a huge departure from current practice to do that sort of thing. So we are putting up something we think it practical to do, essentially, in the 2001 census.

Mr MUTCH—The ABS also argues that there is great concern about the release for research purposes. But, as you said, they did not say, ‘We won’t release it but we will allow people to come in and research it.’ I would like you to have a look at this survey and have a look at the questions because we have some concerns about that research. Did you make a submission in the lead-up to the 1996 census about the medical and research benefits of retention?

Dr Madden—That is a vexed question. I was the deputy statistician in the ABS at the time of that consultation on the census. So I was on the other end and was surprised at the lack of response to that invitation which I know the ABS at the time thought was quite an adventurous request. I will not go into who was in the institute at the time but I think Dr Mathers was there at the time and he can make a comment about that.

Dr Mathers—We certainly considered the potential benefits of retaining census information for record linkage at that stage. We prepared a submission and, in the end, we focused on retention of the national health survey data which was being developed at about the same time. We thought that the potential for persuading ABS to retain linked data was probably greater for the national health survey. It potentially offers some of the same benefits in that it does ask people a lot of detail about socioeconomic circumstances and risk behaviours and so on. The potential to keep that and link it to mortality data would offer some degree of the same benefits. We prepared a proposal to retain health survey information but we did not proceed with the proposal in the census at that stage.

Mr MUTCH—Dr Madden, did you say that you were the Deputy Statistician of the ABS?

Dr Madden—I was at the time, yes.

Mr MUTCH—Wonderful! It is just that you seem to be putting a case very much at odds with the view that we are getting from the ABS, which is a purist view. The view they are putting quite strongly is that there should be no access because people do not trust the government or the researchers. Do you think, as a previous deputy director of the ABS, that it would be possible to sell to the public a campaign in which we retained all the name-identified information for legitimate research purposes? Do you think the public would respond to such a campaign?

Dr Madden—I cannot answer that in the hypothetical position that I might have been in the ABS at the time.

Mr MUTCH—Did the ABS ever examine that question, to your knowledge?

Dr Madden—To my knowledge, and they would have to clarify this, the 1992 consultation paper was the first time that they sought submissions about that subject. We were certainly surprised at the time to get no response. There was some discussion with organisations such as the institute. I was a bit evasive about the

institute at the time because the institute was without a director at the time that happened so it was not in a very good position to respond. Also, our organisation is only just 10-years-old so it was then only five- or six-years-old. It was not in a position where it thought it could lead a charge like that.

Going back to your question as to where I am in 1997, as to whether you could sell this campaign, I think you have to look at the practices that are or have been in place in other parts of the world for census records and see how censuses are run in those places. The UK census, the example we have been talking about, is run well. There are some comments about one of the UK censuses in the ABS submission. But generally, those censuses are run well and are of high quality in those countries.

Mr MUTCH—How about Canada? Do you have a view on the Canadian practice?

Dr Madden—The archives submission says the Canadian decision to destroy the forms was made on financial grounds, not on confidentiality grounds. I do not know the reason for that. I remember in 1993 we had a trilateral meeting with the Canadian and New Zealand statisticians. At that meeting we had a session on censuses and discussed all these practices. But I do not know the reasons they have changed their practice.

Mr MUTCH—Would you rate the Canadian collections as up with ours?

Dr Madden—Canada has always been regarded as having the best statistical system in the world.

Mr MUTCH—Yes, and they have always kept their—

Dr Madden—The *Economist* has done a survey, which is quite famous, over some years. Canada has come out number one and Australia has come out number two. Their practice is undoubtedly good.

Mr MUTCH—Great.

Dr Madden—But they have changed their practice on this issue.

Mr MUTCH—Apparently they store the paper forms and they felt it was a bit expensive to do so for this one. I do not think they have changed their policy.

Dr Madden—I am only going on what Mr Nichols said in his submission from the archives. I do not know the reason.

Mr MUTCH—Do you think we could arrive at a situation where we could get statistics as good as theirs and retain the information there? If they can do it, why can't we?

Dr Madden—We have suggested in our submission that you might consider recommending that a protocol be developed as to how this might happen. There is a lot of work to be done in working out how that would be done, but the way to explore that is by getting interested parties together. I have suggested in here that the NHMRC and the Privacy Commissioner and other relevant bodies, working with the ABS, come up with a protocol. Then that protocol would have to be put out for public consultation. That is a process you

would have to work up. You would have to convince the public that this was as secure a census as had ever been run before. The fact is the data would still be with the ABS and never go beyond the ABS.

Mr MUTCH—On the basis of the reason we collect the statistics, which is ultimately for governments to make decisions, would you say we are really only getting half the information we need because we cannot get the results of the research to make our decisions on?

Dr Madden—I would not respond on those terms. I think it is a matter of balance and the balance has been that we need a very good quality census for the purposes for which the census is funded. That is primary. Whether you can extend it is something that you would have to work up to. The strength of our submission is that we are saying there are other ways to conduct a census and other experiences in other countries that could be explored.

Mr MUTCH—Great.

Mr RANDALL—Dr Madden, just by way of interest, are you all medical doctors?

Dr Madden—No, we are all PhD doctors.

Mr RANDALL—I am just interested. You are with the Institute of Health and Welfare, so I wondered.

Dr Madden—No, we did not bring our medical adviser along with us today. We do have one.

Mr RANDALL—No, it was more by way of interest. I am not meaning to be facetious. You have made some very interesting comments. It seems as if you want to have five bob each way and it might have something to do with your previous hat as a deputy statistician. I am only saying that in a nice way. We heard from a Professor Garth Nicholson, a neurologist, at a hearing in Sydney. He said that the ability to gather this information would assist every disease known to man. Would you agree with that in tracking and following it?

Dr Mathers—I guess the potential is there. The sorts of things that I have been pointing to—being able to link disease outcomes to broader social determinants—probably affects most of the diseases known to man. There are very few diseases that have been discovered, that are not more prevalent in people who are disadvantaged. There are some that are the opposite way around. There are few diseases in Australia that are more prevalent in advantaged people. Either way, we are talking about determinants that affect most health problems. There will be some—for instance, occupational related diseases—where there would be a very strong and direct connection and where you might be able to look at specific occupation groups. Historically, a lot of the early work in epidemiology involved occupational studies, which really had a huge impact. For example, there were huge rates of testicular cancer in chimneysweeps in 19th century Britain, and this was because of the soot.

There is a whole range of occupational related diseases. There have been enormous advances in improving the safety of work places and so on that have flowed from this sort of work. We are now at a level where we are worrying about effects that are quite subtle in terms of a 10 or 20 per cent increase in

some quite rare cancer. Typically, in the case of children who are around waste incinerators, people worry about their leukemia rates. You are talking about very rare diseases where the additional case load may be one or two cases if the effect is real. It is very difficult to study, using traditional epidemiological methods, and mass population data and cheap linkage methods are one potential way to address these sorts of problems that are increasingly important.

Mr RANDALL—So you are referring to something like a Chernobyl type of situation, around nuclear reactors, where you have had to treat children. Obviously, since some of these arguments were formed, the health imperative has grown, in terms of an argument, with the Bureau of Stats information. Would you agree with that? It was genealogists before and a few historians. We have had a lot of submissions from health professionals and groups who are asking us to have similar access to you et cetera. Do you think my assessment is accurate?

Dr Mathers—A lot of the original impetus for release of census data came from genealogical interests, in which we have no professional or organisational interest. What we are putting on the agenda now is that there are potential benefits for population, health and related social research in record linkage analyses of these types. As Dr Madden has pointed out, the potential benefits there need to be weighed against the potential risks to the quality of census data. We are not coming in here saying that there are enormous benefits which mean that we absolutely must go down this track. We are saying that there are potential benefits that are quite significant and Australia needs to look at those benefits and potential costs more than has been done to date.

Mr RANDALL—Okay. I will just follow that up. I will be brief with my questions; I have only got a couple more. You mentioned the risks and we have already said that your only real evidence is information from the Bureau of Statistics and their survey. You have obviously been reading the notes. I took the inference that you were interested in the 2001 survey as a point in time census. Do you have an opinion about that?

CHAIR—The suggestion has been made, Dr Madden, that, as a part of your commemoration of the centenary of federation and possibly even the advent of the new millennium, as a one-off exercise, the data from the 2001 census be retained.

Dr Madden—If you want my personal opinion, I do not think it makes any difference. I think you have got to have a good census in 2001 for the purposes for which you need a good census in 1996 or 2006, and that is the primary issue. Because of the evolution of technology to retain records, to match records, if this is the time to move towards this sort of position, we are arguing that it should be done on its merits not because of the date.

Mr RANDALL—This is my last question. You have already given Canada a glowing tick and you mentioned the UK. Do your colleagues in similar areas of operation consider that their information is any less inferior from ours, given the fact that we destroy ours and they have retained theirs?

Dr Mathers—I do not think so. But as Dr Madden has pointed out, the practices are different in different countries. For example, Canada, New Zealand and the UK have retained census data. To varying

degrees, they have high quality censuses, but through somewhat different routes. Certainly, in terms of health research and analysis, the quality of information is on a par with ours.

Mr HATTON—Dr Madden, do you think the 1991 and 1996 censuses provided good information?

Dr Madden—Undoubtedly.

Mr HATTON—How does your institute access that information? What do you already access and how do you use it?

Dr Madden—We access what is publicly available. We have no privileged access to census information. No-one else does either. We access it mainly through the CDATA system.

Dr Jelfs—I was just going to add the uses that we put it to. For example, in calculating cancer incidents, we contrast the number of cases that are actually registered for cancer and look at the population that is at risk. The census provides that ‘at risk’ population, whether it is by age, sex or country of birth.

Mr HATTON—What level do you drill down to—down to single census collection districts?

Dr Mathers—Not usually, although we have done analyses based on collections of individual census districts. For example, the ABS classifies census districts according to an index of disadvantage. We have used that sort of information, which is derived from very low level census data, to compare collectively the areas that are most disadvantaged in Australia, in terms of their health outcomes, with those that are advantaged—again, trying to get at some of the associated cultural type of differentials in health.

Mr HATTON—Those exercises that you have done have been useful?

Dr Mathers—Yes. The institute has published a series of reports on health differentials which have looked at differentials in health between quite a few different groups in Australia. The population data on which those calculations are based is ultimately derived from the census. It has been extremely useful. But it is all aggregate data in the sense that, from the census, we get essentially tabulations of estimates of people in various categories. So we are dealing with aggregate numbers not with individual records.

Mr HATTON—But with aggregate numbers on the CCD level—you are dealing with about 1,000 people.

Dr Mathers—Yes.

Dr Jelfs—Most of our analyses start at the SLA level, which is one further up, so it could be at 50,000 or 300,000.

Mr HATTON—But you have the capacity to look at that census collection at district level—

Dr Jelfs—We could do, yes.

Mr HATTON—Or at least at two census collection districts, where you are looking at a couple of thousand people.

Dr Jelfs—That is right.

Dr Mathers—We have occasionally used the collection district level. Just recently, we were involved in an exercise to try to estimate Aboriginal utilisation of Medicare. The small survey run to look at Aboriginal utilisation was based, initially, on looking at Aboriginals in collection districts and SLAs, although we moved away from that a bit as the design went on. But it was certainly input to some of the processes.

Mr HATTON—When you have looked at that level, have you done any comparisons between CDATE 91 and CDATE 96? Have you looked at the changes in there to get some kind of short longitudinal idea?

Dr Mathers—No, not really. They are two cross-sections and without being able to look at actually tracking people across time, it is fairly difficult to do comparisons of cross-sectional data, because there are a whole lot of reasons that changes can occur. The compositions of the groups may be different in the two points in time.

Mr HATTON—Because up to one-third of people move in an electorate, for instance, between one census and another. A lot may move within an electorate, but you also have people moving in and out. That said, when you were dealing with a number of areas of interest, most of those that you nominated were location specific. You were talking about incinerators and other problems at a fairly fine level. If we were to look at asthma problems in Villawood and south-western Sydney, I know there have been some studies done because of the location of facilities out there and the expectation that manufacturing facilities actually led to an increase in those areas. So where you have industrial capacity and medical problems directly, would you actually look at it on a clustered basis using that CCD information?

Dr Mathers—In those cases, you would, but that was only one small component of the sorts of analyses I was pointing to. Probably a much larger component would be looking at information relating to income, education level, family composition and housing circumstances, occupational information, employment history and so on. There is a whole range of things which are characteristics of the social environment, rather than the place the person is living, which are also quite important determinants and factors influencing health.

Dr Madden—What we would be looking at for the national death index would be whether John Smith had died. We would have to find where John Smith was in 1981 or 1971. The CD information would not be of any assistance in doing that. You would have to have access to the identifiable record to do that matching.

Mr HATTON—It would be possible to track where John Smith was, not through the census data but back through family history.

Dr Madden—But if John Smith died in Newcastle and he was living in Wollongong or Wittenoom in

1971 or 1981, you would have no way of knowing.

Mr HATTON—It would be costly for you to get that information if you were to pursue it through those sorts of methods.

Dr Madden—That is right.

Dr Mathers—There may be quite a few deaths in that category where there are no family members surviving. Finding the children or relatives of a deceased person would be an order of magnitude more difficult even than identifying—

Dr Jelfs—Particularly if the siblings are females so they have changed their names up to several times.

Mr HATTON—I now come to a two-pronged question which gets to the core of where the other ones have been going. How important is the linkage material? Is that specifically for longitudinal studies? Or is it, in fact, that for any of the studies that you wish to undertake you need to have it person specific in order for it to be as useful as possible?

The second part of the question relates to my earlier questions. There is a vast amount of data available to you at a very local level in 1991 and 1996, and it is more readily available and more drillable to extract information than previous census data which just came out on paper. I would expect that you can see the data in different ways. There is an expectation that possibly we have not delved into the riches that are there adequately enough if you are not looking at a low enough level.

Dr Mathers—Certainly, linked data is only one component of the information that we would use. An enormous amount of the work we do now does not depend on linked data in any way. For example, for trends in breast cancer mortality in Australia there is no requirement for linkage. We simply work from death certificates and population estimates, and we do an enormous amount of work on aggregate data. Where the linked data becomes crucial is where you are trying to link determinants of health which occur well before death, or other health outcomes, with those health outcomes. In those examples, the aggregate data at CDATA level is quite irrelevant because it is not linkable to those deaths.

If we have a series of deaths and we are trying to look at the relationship with earlier exposures in life through occupation or living circumstances of any kind, that cross-sectional data cannot be linked to the individual deaths to see whether people who 10 years earlier were in this occupation have a higher death rate or not.

Dr Jelfs—I will answer the second part of your question, on the potential use of the data down at that local level. While the institute tends to take more of a national focus on a lot of issues, there are lots of organisations and individuals who actually drill down to that level at the moment. For example, the School of Geography at the University of New South Wales does a lot of detailed work at the small geographical level, linking those sorts of hazards to disease rates around that hazard. So just because the institute does not take that role does not mean that others are not at the moment.

Mr HATTON—Dr Madden, I asked our good friends at Treasury a question and they were a bit clueless in regard to what I asked them. I may just not have put it properly, but I will try again with you, given that you have a statistical background. If we look at the core question that was asked in the survey that ABS had organised through McNair, and having just had a look at the questions, I could think that the methodology was somewhat suspect and the questions somewhat leading, to say the least. Certainly the outcomes were so strong that I think that might be the case.

In terms of people's concerns about privacy and confidentiality, what I asked them was whether they had any concerns about what was available in CDATA 91 and CDATA 96, and the fact that one could take that information, pull it together with the database of the *White Pages* or some other available databases, and virtually match those people together down at CCD level. Even with some of the data that is available you have two CCDs aggregated, but you can virtually get an individual profile of people within a CCD and match that up. Despite the fact that ABS is under their umbrella, they seem to not understand the significance of that. Would you like to comment on that?

Dr Madden—I think it is highly significant. I remember that the Privacy Commissioner ran a daylong seminar about that—I think in 1995—which I know the ABS attended. The ABS has always refused itself to do that sort of linkage for its own marketing purposes, even though there is a very ready source of revenue there to supplement its budget.

Mr HATTON—I think they charge enough for the CDATAs.

Dr Madden—That is another subject; I think I can debate that with you. I know why they charge what they charge for it. Certainly a lot of things can be done with CDATA, but it is a matter of what is useful and available without jeopardising the identity of people in the census at the moment, which is a very sought-after commodity by many people. Whether it is then matched by third parties, and the principles that govern that, are really a privacy matter that the Privacy Commissioner quite rightly is interested in. But of course the Privacy Commissioner is only interested in Commonwealth use of data, not in private uses of data.

So it is really outside the purview of the ABS and the ABS, to my knowledge—certainly when I was there—had refused to do that sort of work itself. I do not think it argues against having CDATA. Probably the ABS's major uses of the data do not require that sort of release, and the ABS is trying to be as helpful as possible and as it can be within its current policy guidelines.

Mr HATTON—But the ABS is concerned to get the best data available from the census?

Dr Madden—Yes.

Mr HATTON—Do you think there is a perceptual problem there, as people come to understand more and more that there is a mass of data available electronically, that it can be linked up with other data sets, and that privacy could be a problem? What steps have the ABS taken, apart from closing their eyes slightly to the fact that that is happening? They actually take steps in terms of the data that they give out, don't they, to scramble it at that lower level so that it is impossible—

Dr Madden—I would prefer to let the ABS speak for its own practices. I repeat that there has been an interest by the Privacy Commissioner in this issue, and it is a live issue. But it is really something the ABS has to keep its own eyes on.

Mr HATTON—If there is a problem, or a potential problem, because those data sets can be matched, and matched more effectively, than just paper data can be matched, and if one compares that with the potential for actually retaining the census records and allowing the institute and other organisations to access that, do you think that is a viable argument in terms of putting that to the public; that there is already extensive information available, it might not totally prejudice their privacy and so on, but there is a question mark there, so that this question of retaining the census papers is not the first time this problem has necessarily come up and might give more weight to actually retaining them for the sorts of purposes that you need?

Dr Madden—I can see the linkage you are drawing. I do not know it is the linkage I would agree with. I think the issue of retention by the ABS has to be justified on its own merits and the issue of matching of CDATA with white pages has to be addressed on the merits of that case. We would certainly want the access to CDATA not to be jeopardised and I am sure the whole research community and many other legitimate users of CDATA would argue for that as well. I think the two issues have got to stand on their own merits.

Mr HATTON—Thank you, gentlemen.

CHAIR—Dr Madden, Dr Mathers and Dr Jelfs, thank you very much for your submission and coming in to discuss it with us this afternoon.

[17.08 p.m.]

CARMICHAEL, Dr Gordon Alexander, Fellow, Demography Program, Australian National University, Canberra, Australian Capital Territory, 0200

McDONALD, Professor Peter Francis, Coordinator, Demography Program, Australian National University, Canberra, Australian Capital Territory 0200

CHAIR—I welcome Professor McDonald and Dr Carmichael from the Demography Program at the Australian National University. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as the proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. I am in receipt of your submission to the inquiry which we thank you for. Would you care to make any opening comments?

Dr Carmichael—Yes. I might first explain that Professor McDonald and I decided that our views were fairly similar and, as he had limited time and I had a bit more, I prepared the submission and he is here today to speak to it. I should note one minor error on page four, paragraph two, line one: the word ‘concurred’ should obviously read ‘disagreed’. I have couple of other points to make before I ask Peter to read a statement that he has prepared.

Firstly, my submission stresses the need in selling a retention scheme to emphasise the extended timeframe associated with any release of name identified data and criticises public opinion evidence from the ABS as not communicating that timeframe. That criticism was based on material in a letter from the ABS seeking to persuade me, as President of the Australian Population Association, to its position on the retention issue.

I have since received the full AGB McNair report to the ABS and now acknowledge that some attitude items incorporating a 100-year embargo were included, soliciting significant though lower adverse responses to this scenario with respect to the likelihood of a person completing a census form and to perceived impact on the accuracy of census data.

However, I do have problems with the sequencing of those items following related but more sensitive propositions. The respondent is initially encouraged to adopt a negative stance and may then feel that to retreat from it on subsequent items is inconsistent. In short, the research seems designed to buttress the ABS viewpoint.

The second point I would just like to mention is to draw your attention to pages 9 and 10 of my submission where I take the opportunity in addressing the issue of user pays to raise the broader question of what I consider to be far too rigid current application of user pays principles in the dissemination of ABS data. This is a matter outside the terms of reference of this inquiry, but having spent years being told by the ABS that they are only implementing policy imposed by their political masters, I could not resist the opportunity to draw it to the attention of a group of those masters.

Mr RANDALL—I think—

Dr Carmichael—It is to me quite ridiculous to spend multiple millions on an exercise like the census then limit access to and use of the data it generates by setting charges which are often beyond the capacity of users, and particularly those within the tertiary education sector, to pay. I believe the primary mission of the ABS should be to maximise not the monetary but the public good and intellectual return from its data collection exercises. I realise this is not the forum in which to pursue this matter further, but if I have aroused any interest I can be contacted in my capacity as President of the APA at PO Box 38, Lyneham!

Prof. McDonald—Just running through some of the potential uses, I guess our position is rather similar to that of the Australian Institute of Health and Welfare except that we also support release for private purposes, genealogical purposes, at whatever the timeframe is. One hundred years is what we suggest but it might be some other kind of timeframe.

I think among the various uses of interest to demographers, the health uses are by far the most important, the ones that have already been mentioned by the Institute of Health and Welfare. However, there are other uses. We at present are doing a study of the demographic history of Tasmania. We are doing this because we had been able to obtain computerised records, including names and so on, of all births, deaths and marriages in Tasmania in the 19th century. We are able to search on names and so on and do a very interesting analysis of historical issues relating to fertility decline. That is when fertility did decline, in the 19th century, and we have a pretty poor understanding of it internationally. Therefore, this is a major database from an international perspective to look at that kind of question.

Concerning mortality decline, there are lots of theories about the decline of mortality in the 19th century and lots of disagreement. This database contains cause of death information, such as it was in the 19th century, including things like visitations of God and so on. Generally speaking, you can make fairly good use of the cause of death information. Certainly, infectious diseases were well recognised and well recorded.

It would be extremely useful to us if we had Tasmanian census records in the 19th century, but we do not. It would enable us to locate people much better. You could look at the poor areas of Hobart and know what was the mortality situation. There are items that are not on the vital records that we could get from the census if we are able to link with the census. We could look at family change, a very important aspect. We know little about 19th century Australian family history and the retention of those records would enable us to do that. I do want to stress the kinds of historical uses of the data. This is the 100-years ago type. Besides the genealogical uses, there is the use to historians.

In relation to social uses, I guess there is a follow-up of people who experience events. Colin has referred to some of those. For example, you might be interested in what happens in the future to a young woman who had a baby as a teenager. You might be able to follow her through time to see whether she ever recovers from this experience. You can follow up people's experiences—such as unemployment, divorce, migration—through linking census records.

As Gordon has pointed out in the submission, one of the advantages that we have over the last range of censuses is that each census asks you your address at the previous census. That enables you to jump back

and across censuses. If you are interested in population mobility, you can follow people around the country and see where they are going and what they are doing in each place. Those kinds of studies are possible and important, but I would agree that the most important uses are the health uses that you have already heard about.

The issue revolves around the impression of confidence that people have that the data will be secure. I have no question in my mind that the data can be secure. It really relates to whether that impression is a public impression. One of the things that worries me in this regard is the ABS's own attitude. The ABS has a very negative attitude at this point. That would have to change quite a lot. I would be much happier retaining census forms if the ABS wanted to do it. I think the ABS submission indicates a very low level of commitment to this approach to promoting community confidence. In the end, they will be the ones who will have to promote community confidence. That is a bit of a problem.

A lot of submissions you have received well argue scientific and public purposes of the data. The ABS tends to be dismissive of that. Rather than recognising those advantages and saying, 'Yes, we recognise that, but', their approach is to say, 'We don't accept those.' They are completely dismissive of those purposes. For the vast number of people in Australia who are interested in genealogy—and there are a vast number and this is a legitimate interest—the ABS suggests that they should be like the Chinese and maintain their own records. That is the solution. I do not think this is a good kind of attitude to be putting in that kind of submission.

The overwhelming balance from submissions from the scientific community, looking right through the submissions, is to retain the forms. But it is not apparently clear to the ABS that there is scientific value in retaining the forms.

The ABS also uses the argument about the cost of maintaining the records as a reason for not doing this. The ABS will hopefully retain the unidentified records in a unit record form so that they can be processed in future. If you do it in an electronic way, the cost of maintaining the additional information is purely marginal. The ABS has a pretty poor record in this regard. The ABS has already lost a lot of information in records from the past that were processed electronically but are no longer able to be processed. Maybe they have improved their game. I guess they have since then. But there needs to be a commitment on the part of the ABS to be maintaining the historical record, to be archiving its own material. It is evident that in the past, at least, that commitment has not been there.

The ABS submission, for example, says if you are interested in the historical record—this is the commitment to the historical record—go elsewhere; go to the electoral role or something. Don't come to us.

CHAIR—Professor McDonald, a matter has arisen in the chamber which, whilst it is not a division, sounds to be of some importance, This includes both sides of the House. All of us are of the view that we should be there.

Short adjournment

Prof. McDonald—I was making a point about the ABS's commitment. If a decision is made to retain the forms, one of the things that concerns me is that the ABS does not have a commitment to this, and that

may cause some difficulty. But going on to consider another aspect of the ABS submission, it says:

ABS sees no reason for government to provide what in effect would be a substantial government subsidy to support what is essentially private research.

That is a quotation from the ABS submission, and it reflects a worrying trend in public sector organisations. They are beginning to see, themselves, that their responsibility is to government and to government alone, and that is expressed in that statement from the ABS. The ABS does not see itself as having a responsibility to provide information to researchers—or to anyone else, for that matter, outside the government sector—and I think if anything is likely to jeopardise public confidence in ABS data collections it is that. If the approach is taken that the priority, the primary responsibility, is to provide information to government and that is it, and everybody else will have a very large entry fee—a very large charge that they cannot get past—then that is a big problem.

As Australian researchers, we now find it considerably cheaper and far easier to study an economic or social issue that we might be interested in by using United States data. We can get data from the United States cheaply and easily, but we cannot get Australian data cheaply and easily. This is not a new statement; this kind of statement has been made ad nauseam. The ABS spends very large amounts of money collecting very good information, but then the dissemination and the access to that information is highly restricted.

To digress slightly, I would also like to point out that it is not just the ABS that has this direction. Dr Carmichael and myself in the 1980s devised a system for the careful monitoring of divorce trends in Australia, and at the end of the 1980s we handed this system over to the ABS to run as part of their ongoing responsibilities. In this instance the ABS were on the side of the angels, and they were going to do this for the public good. The project was scuttled, however, by the Family Court of Australia, when from 1995 it removed one simple question from the application for divorce form. The question, which had been on the form since 1961, asks simply whether this was the person's first marriage or a later marriage. It would take somebody about half a second to answer it, but it was removed from the form after having been there for 34 years.

The court's justification for removing the question was that it was not required in order to consider whether or not the couple should be granted a divorce. There was no credence given to the broader community interest in being able to monitor divorce trends. You often hear it asked what proportion of marriages end in divorce. We cannot tell you, now. We could, but we cannot tell you now. Because that question has been removed, we do not know whether it is a first marriage or a second marriage, so we cannot tell you what proportion of first marriages end in divorce.

Divorces are going up at the moment, but we do not know whether it is because of first marriages ending or second marriages ending. This is the kind of trend that I was talking about. There needs to be a recommitment to the public benefit of information. This is just another example—a very stark example, and a personal example as far as we are concerned. I apologise for that digression, but as Dr Carmichael mentioned, this problem has reached a serious proportion and needs to be addressed.

CHAIR—Thank you, Professor McDonald. Either you or Dr Carmichael said words to the effect that

ABS had lost data or was unable to access a considerable amount of data from the past. I was just wondering if you could elaborate on that.

Prof. McDonald—As I understand it, for some of the censuses which previously were processed electronically—the 1966 census, for example—that can no longer be done. The information from the 1966 census cannot be electronically processed today, although it was originally processed electronically.

CHAIR—Why?

Prof. McDonald—I do not know what the reason is.

Dr Carmichael—I presume it is not being maintained.

Prof. McDonald—There are technological changes in data processing, of course. In order to be able to process data today you have to update continually to the current technology. I was making the point that in the past, at least, the ABS's own archiving record has not been good. I am not aware of what the present situation is and hopefully that has been vastly improved. The point I was making was that the ABS should have a major commitment to the archiving of its own material.

CHAIR—With respect to the potential uses that you describe for census data, is that along the same lines as that in the Institute of Health and Welfare submission where linkages would be undertaken by the ABS and you would use it in your areas as well?

Prof. McDonald—Yes. I think we would support very strongly everything that was said by the Institute of Health and Welfare. That is the kind of approach that we would like.

CHAIR—I will not ask you the same questions if you are substantially saying the same thing. There are a number of arguments against retention but it seems that one of the major ones is this fear that the quality of the census will be diminished if people are aware that in 70, 80 or 100 years the information could be released. Perhaps that is linked to a fear that if it is there then big brother—some time in the future—might have access to it. Your view seems to be that that is an unrealistic fear.

Prof. McDonald—I think that is where I would come from but my opinion may not be any better than most other people's in that respect. When I was at the Australian Institute of Family Studies, we conducted longitudinal surveys and we did maintain people's names and addresses over long periods. There is a difference with the census because those institute surveys were voluntary, as distinct from compulsory. All the same, there was never any great problem with that; the reason that people did not take part in those studies was not that particular reason it was that they were people who would never take part in any study. My experience of Australian surveys is that if they say yes in the first second they will confidently stay with you for the next 20 years but a lot of them say no in the first second.

CHAIR—And is there a generally accepted view about what the refusal rate is? There must be some rule of thumb that researchers like yourselves work with about a refusal rate. If so, what is it?

Prof. McDonald—We like to get a rate of about 70 per cent. The ABS of course will have much higher rates than that because of the nature of the study. But my experience is that 30 per cent of the population will slam the door in your face, no matter who you are and what you are talking about, and the other 70 per cent will be cooperative.

CHAIR—It depends to some extent whether you are after men or women.

Prof. McDonald—Yes.

Dr Carmichael—Women are a bit more responsive. With the Australian family project, which was a project run out of the ANU in 1986, the fieldwork was of a very high quality and that got 75 per cent from women, which was regarded as good.

Prof. McDonald—Country people are better respondents than city people, more trusting. Very high income people are not very responsive, just as an example of a group that you have difficulty with. But it really is, in the end, more the person's attitude. There is indeed in the population a group who have the attitude that they do not want to take part in a voluntary survey.

Mr HATTON—I think the Albanian government of some years ago would have been quite happy with the sorts of results that came out of that McNair survey that the ABS put together. You have questioned its methodology. I have had a quick look at it. Would you equate it with that sort of an approach or maybe even push polling, in terms of the way in which that was constructed?

Dr Carmichael—I must admit I have not looked at it from cover to cover. I received a copy of the full document from somebody within the ABS, who directed me to particular pages and—

Mr RANDALL—Have you seen the framing questions in it?

Dr Carmichael—No, I have not.

Mr MUTCH—Do you have you a copy of the document that you received from the ABS?

Dr Carmichael—I have it here somewhere. I certainly have not read it. It is this report, on attitudes to retention of census forms.

Mr MUTCH—There was a letter as well, wasn't there?

Dr Carmichael—There was a letter that I received that was sent to me in my capacity as President of the Australian Population Association.

CHAIR—Would it be possible for the committee to have a copy of that letter?

Dr Carmichael - I should clear that with them before I pass it over willy-nilly. Basically, it contains very similar information to what is written in the ABS submission to you people. It simply quotes some of

the propositions and percentages that—

Mr RANDALL—But you have not seen the framing questions?

Dr Carmichael—No; not unless they are contained within parts of this document that I have not actually read.

Mr HATTON—As I understand it, Dr Carmichael, that is the only extant study in relation to this. I think a number of us would question its methodology. In terms of your proposition for utilising the linkages between the material, you have indicated that you would prefer that as an electronic database, which may in fact worry people more. We have already got electronic databases in CDATA 91 and 96, but we have not got those linkages.

Do you see a specific problem in security terms, based on your experience with the studies you have done, in simply having that data being able to be matched in an electronic form? It would be valuable not just to you as researchers, or to the institute or other people, but to marketers of all sorts of products.

Dr Carmichael—In line with the Institute of Health and Welfare, this is an operation which one envisages being contained within the ABS, and its record in ensuring people stick by the rules speaks for itself. They are insistent on it, to the point, at times, of paranoia. Provided it remains within the ABS, and provided there is an established protocol as to what uses are regarded as legitimate and what are not, I think the ABS can be relied on to maintain that protocol.

Mr HATTON—With your own surveys, and the security measures you would take with them, do you break them into separate relational databases and keep the names and addresses separate from the rest of the material?

Prof. McDonald—Yes, that is the conventional approach.

Mr HATTON—Would you envisage that ABS would do the same sort of thing?

Prof. McDonald—They have to be linked by one variable, of course, so that you can link up the two databases. But, yes, we keep them separately.

Mr HATTON—The reason I ask that is because of the public perception: most people would not know about relational databases and they would think that the whole thing would be there and available. So the security that you provide already is quite strong in relation to that?

Prof. McDonald—Yes.

Mr HATTON—Your expectation is that the ABS would do the same.

Prof. McDonald—Yes.

Mr MUTCH—Have you made submissions to any previous surveys conducted by either the ABS or the Archives?

Dr Carmichael—To the ABS—we have made submissions to any census round.

Mr MUTCH—That is with respect to framing the questions, is it?

Dr Carmichael—In respect of what items should and should not be included.

Mr MUTCH—Have you ever made a submission with respect to retention?

Dr Carmichael—No.

Mr MUTCH—Have you ever been asked?

Dr Carmichael—I was aware that an opportunity had been provided prior to the most recent census. Having had a fair bit of contact with the ABS, and being of the view that they were absolutely against retention, I saw this as a public relations exercise and something that at the time really was not worth spending time on.

Mr RANDALL—In your role as a Fellow, are you aware of other research data, anywhere in the world, which might support the McNair survey of the ABS?

Dr Carmichael—I am not, but I do not claim to have gone looking for it either.

Mr RANDALL—I just wondered whether you had, in your wide traversing of these areas.

Dr Carmichael—Not really.

Mr RANDALL—So you are not aware of any other report which comes out in a similar vein to the McNair survey on behalf of the ABS and the concerns against retaining census data?

Dr Carmichael—I am not aware of any, no. I would imagine it has not really been an issue in the obvious countries—the UK, the USA, Canada, New Zealand.

Mr RANDALL—Some of those countries have moved to destroying them, as a one-off—

Dr Carmichael—The Canadian one, I think, was a one-off exercise and really was related to a lack of resources to—

Mr RANDALL—So you are not aware of any polling they would have done?

Dr Carmichael—I am not aware of it. But, as I say, I have not gone looking for it.

Mr RANDALL—Thank you very much.

Prof. McDonald—Some questions in the census get relatively high non-response rates, as well, if people do not want to give the information. I think income is the one that is about the highest. There may be someone who can elaborate on that. But there is already a relatively high non-response rate on income in the census.

Mr RANDALL—You talk about the response rate and that has triggering me to asking this: you are not sure what the ABS's response rate is?

Prof. McDonald—I do not know what—

Mr RANDALL—You are not sure of the response rate to any other bureau's collection anywhere else in the world?

Prof. McDonald—No; but one's understanding is that it is far better than other people get.

Dr Carmichael—They have the force of law at their disposal, and it helps.

Mr RANDALL—That is right. Even though there is retention of data in a number of these countries, you are not aware of the response rate?

Prof. McDonald—There are post-enumeration surveys, and so on, which the ABS does relating to the census which indicate pretty good coverage for the census. Australia is a better country to do a census in than the United States. The United States gets very poor coverage in inner-city black areas, for example, where it is dangerous to enter them. So Australia is fortunate in that regard and has a very good record, as far as I am concerned, in terms of its response rate with the census. I was talking about individual questions—that people make their own decisions about whether they will answer a question or not, and there are variable response rates on each question.

Mr HATTON—The household surveys that are done on a regular basis following on the census—the census is used to pick out particular groups—they are very complex and very deep studies. One, do you use and access those? Two, how important would it be for you to be able to access those in the future in the same way that you are talking about accessing the census data?

Prof. McDonald—They are sample surveys and you would not want to retain names with sample surveys. The advantage with the census is that everybody is there and you can find the person that you are interested in for your epidemiological research, or whatever it is. I do not see any point in retaining names with sample surveys. We are very heavy users of sample surveys, when we can afford to pay for them, and we would like to make much greater use of ABS sample surveys. But I do not see any point in keeping the names.

As I said, I think the ABS has been reluctant to undertake longitudinal surveys and that may be one of the reasons, that they would have to retain people's names and try to find people, et cetera. They might see that as a problem, that they would be seen to be maintaining people's names. There are advantages with longitudinal surveys.

Mr HATTON—Related to that question of cost, which you have pointed out previously, have you ever seen ABS prices for the material go down after the electronic information was there?

Prof. McDonald—Certainly there is a first user cost in a lot of instances; the first user pays a large amount and second users pay a much reduced amount, very often.

Mr HATTON—But as CDATA 91 came out and now CDATA 96, there are still high costs and you have not seen them dramatically dropping their costs as more people are using and accessing them?

Prof. McDonald—No. CDATA is roughly the same price.

Dr Carmichael—One incident came to my attention just a couple of days ago. The geography department at the University of Adelaide has been keen to set up a laboratory with multiple copies of CDATA for students. They have been negotiating with ABS for years over this. The costs are just totally beyond them. The latest suggestion is, ‘Forget about 96, we will give you 91 cheap. So you can have the information that is not up to date, it uses different software et cetera, simply so it can fit within your budget.’ They are not interested in it. But that is the sort of attitude that seems to be ruling things. This is an institution which is trying to train future generations of users of ABS material, but they are not prepared to accommodate that training requirement.

Mr HATTON—On a personal note, when I looked at it some years ago, a basic set of CDATA 91 was \$8,000. If you wanted a fairly comprehensive set Australia wide, it was about \$70,000. That was a bit beyond my means. I guess it would be beyond the means of lots of small institutions. Based on that and your experience, do you think that if it were available at a reasonable cost to educational institutions and to others, there would be an economic benefit to that flowing back to the country in terms of the added value that could be given to that product and the fact that our institutions could make new products out of it to then sell, and sell overseas?

Prof. McDonald—A simple answer, yes.

Mr HATTON—Emphatically?

Prof. McDonald—Emphatically.

Mr HATTON—Thank you.

CHAIR—Can I just ask you one question which is not related to this inquiry but is related to another inquiry that this committee is doing? Seeing that you are here, you might have the answer. It arises out of your comment or example about the removal of the question about first or subsequent marriages on the forms. I have noted, and I raised this with the Family Court—and the Chief Justice, in fact, did not seem to have an answer then—that in the latest two annual reports of the Family Court, there is no record, or data is not available, for the number of children involved in divorces. Why? Does that arise from a similar action or omission?

Prof. McDonald—It arises from an action of the ABS. The information was there, but the ABS for cost reasons in one year did not process the information on children of divorce. I mean, where are the priorities? It is a pretty important issue—children involved in divorce—but as a cost cutting measure, the ABS did not process that data for one year. That is the reason.

CHAIR—Does that explain why it is not available for 1994 and 1995? I think it was the annual report—I have not got it with me because it is on a different inquiry—for 1994 and 1995. I think that it was not in the table.

Prof. McDonald—Yes. It is my understanding that it was just one year that this was not done. It was around about that year—1994 or 1995. I would have to go and check that—or 1996.

CHAIR—As I said, it is not relevant to this inquiry, but it is relevant to another one.

Prof. McDonald—Yes. This is an indication of the extent to which the ABS is starved of funds. I mean the ABS would certainly want to process that data, but that particular branch of the ABS did not have sufficient funds in that year to process the information on children in divorce. I think that is a scandal. It was related to a shortage of funds; it was not that the ABS did not want to do it.

CHAIR—I thank you very much for your submission and for coming along and discussing with us today? Can you take that question about the letter on notice, Dr Carmichael, and if your association is agreeable to its release, then can you forward it to the secretariat?

Dr Carmichael—Will do.

CHAIR—Thank you.

[6.00 p.m.]

CAVALIER, Mr Rodney Mark, Chairman, Advisory Council on Australian Archives, PO Box 34, Dickson, Australian Capital Territory 2602

McLEOD, Mr Ronald Neville, Member, Advisory Council on Australian Archives, PO Box 34, Dickson, Australian Capital Territory 2602

CHAIR—Welcome. Although the committee does not require you to give evidence under oath, I should advise you that the hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament. We are in receipt of your submission of July of this year. Would you care to make some opening comments?

Mr Cavalier—Mr Chairman, I know exactly how battered you must feel at this time of the day after people have rehearsed their arguments. I have just recently re-read our submission, which I think gives adequately the position of the advisory council. I have also listened to recent testimony and read the other submissions.

Everyone seems to be following pretty standard party lines: if they are genealogists or historians they see the need for preservation; if they are inside the loop of Treasury and people who depend upon economic data, they happily put forward the line of the Australian Bureau of Statistics. Our council very strongly believes in preservation and our submission says that. It has been the consistent position of the council since 1994. The attachments with our correspondence set out the views of our then chairman.

What we have sought to do is to put forward a possible compromise. If for any reason you were not minded to go the sensible route, which is to preserve the census for a period of 100 years and make that standing Australian policy, protected by legislation of the Commonwealth parliament with all the safeguards that are necessary, we would recommend a once only measure. That is that, for the purposes of celebrating the centenary of federation and making a gift from the nation in our centenary year to the nation in its bicentenary year, you preserve that census on a stand-alone basis with all of the safeguards that the parliament can apply, with all of the force of law, and that no-one would have access to it until the passage of 100 years after the collection.

If, as we believe, that did not cause any of the paranoid worries that are abroad, then perhaps the parliament may choose—in preserving the 100-year retention—to preserve censuses on the basis of every fourth or fifth one, something like every 20 or 25 years. I do not think it is necessary for genealogical or historical purposes to preserve every census in perpetuity. But to get a portrait of each generation, we would submit that to preserve it every 20 or 25 years would be a tremendous service to history.

CHAIR—Thank you. If we were to either to retain the 2001 census as a commemorative activity or to retain every or every second, third or fourth census, what privacy protection measures do you believe should be implemented? Are there things which you believe can be done to allay fears that are expressed in various submissions?

Mr Cavalier—We believe that there are, but there will always be levels of disbelief and scepticism, to which I am not addressing my remarks. I believe that preserving the records into the future is an affirmation of faith in parliamentary democracy, the belief that Australia is not heading down some totalitarian route whereby the future presents a threat to those of us living now.

I believe that the parliament itself should be the first and final authority in this matter. The 2001 census, and any other census that the parliament in its wisdom chooses to preserve, should be protected by act of parliament. It should be a specific statute and any access should only be provided in the event of an amending bill or a repeal bill. That is, it could not be a matter for a private cabal of the director-general of the archives or the Commonwealth statistician or the Privacy Commissioner or, indeed, the Prime Minister or cabinet of the day. It would have to go before both Houses of parliament and you would need an amendment to alter the preservation period or to gain access under any circumstances.

CHAIR—And the allaying of fears?

Mr Cavalier—Mr McLeod deals in this field everyday. I would put forward that the nation is already comfortable with the fact that all of its defence secrets and diplomatic secrets—the most basic private records—are kept by the Department of Defence, Department of Foreign Affairs and Department of Social Security. There are vast records kept by the public service on public servants. You are all familiar with just how many supposedly private matters are available, even as we speak, in land titles offices; registers of births, deaths and marriages; motor car registries, banks and credit card agencies, not to mention parish registers.

I simply find it unimaginable what it is that is in any sense a threat. But I believe that can be overcome by the fact that the Archives has never been known to sustain a break-in, never been known to leak and never been known to lose anything, either by dry rot or wet rot, storm or tempest. That is, it has a very proud record in its repositories, which exist here in the Australian Capital Territory and in all of the Australian states and the Northern Territory. It has preserved those records for a very considerable period of time with absolute security and it has provided access, or denied access, in accordance with the law.

Mr MUTCH—Do you think we have a bit of a black hole in our history because we have not kept censuses from the past?

Mr Cavalier—Yes, definitely. We have black hole, but it is not an absolute black hole in the astronomic sense because, with a lot of diligence, you can fill in large parts of it by the very records I have said—from bills of lading and private business organisations and through other records of state governments and the Commonwealth. It is a damnably difficult task to do it, if you are tracking down an ancestor or you are doing a biography of someone, but you can do a fair measure of it.

Mr MUTCH—With the democratisation of history is there a serious concern there? Although we can do the history of famous people—

Mr Cavalier—Exactly.

Mr MUTCH—and we can do the history of our convicts on a personal level, we do not seem to be able to do the history of our people for the last couple of hundred years.

Mr Cavalier—That is one of the major concerns of historians, particularly labour historians—recording the history from below, the people who are silent, the people who are not in official records from about 1901 onwards or from some later period. If you really want to address the paranoia head-on, just wonder what would be worry, to anyone living now, if a census of 1897 was to be published tomorrow? Who on earth would be threatened by it?

Mr MUTCH—One of the privacy principles is that we should only keep information that has been collected for the purpose. Do you think that is a short-sighted policy?

Mr Cavalier—I think it should be an express purpose of the census that it is not only serving the immediate economic needs and planning needs of the Australian nation but it is a way of informing the future about how we are living now. I do not think there should be any secrecy about this preservation. I think we should meet the paranoia, the misunderstanding, the scepticism and the concerns head-on, by a deliberate publicity campaign. I do not think there is anything to be afraid of in arguing this case.

I have been with an organisation that has commissioned research from AGB McNair in the past. AGB McNair is faultless. But it is possible to get an answer to your question if you frame the instrument accordingly. I think if we did frame a question which asked people: ‘Do you think it is important to preserve census records in order to inform the future about the way we live now and to give your descendants a portrait of a living society?’ I think we would go close to 100 per cent saying yes.

Mr RANDALL—You referred to the paranoia. It was suggested by one of our previous witnesses that the ABS seem to have an antiquated view towards this and that if they were more positive and got out and sold it, there would not be the same sort of public paranoia which they are suggesting from their poll. Would you agree with that?

Mr Cavalier—I am not aware of that evidence, but I am absolutely certain that is right. If this parliament was minded to change the law in this regard and enjoin the Australian Bureau of Statistics to preserve records, I am supremely confident that, in accordance with their professional ethics and their oath as public servants, they would be devout advocates of exactly that and would make it clear that the paranoia was misplaced. But that is in your hands to change their attitude.

Mr RANDALL—That is what we are here for. Could I point out one question that has been asked often previously. Again, for the front page, if it were just name and address rather than a lot of other details, could it be seen as a compromise position? Would you look at that, or would you be more interested in retaining the whole document?

Mr Cavalier—The whole document. I do not know how it could work if you did not keep the whole document and were able to match the records that follow on the name and address.

CHAIR—A suggestion made, if I can recall it, is that, say, about eight or nine items be retained—

name, address, previous address, sex, age, those sorts of items—but that items such as income levels not be retained.

Mr Cavalier—I am just amazed that there is paranoia about income levels. If they are public servants, their incomes levels are going to be known for all time. If you are a member of parliament, or virtually any public office holder, or a person who holds a directorship, I cannot understand how in a 100 years time, that is a worry to anyone.

Mr HATTON—You indicated in the submission the probability of looking at a 100 year closed period. In your verbal introduction you said that you actually prefer to have it as an open thing and not—unless I misunderstood you—that we should go for full retention of the records, but that if that were not operable, then we could have a 100 year closed period. You meant that?

Mr Cavalier—No. I have misled you, Mr Hatton. What we favour is a 100 year closed period under any and all circumstances. Our compromise was that if you are not minded to do that as a blanket statute law, you could do it specifically for the census at 2001. But in all circumstances it would be kept secret for 100 years and preserved for all time.

Mr HATTON—So what is your assessment of the evidence you have heard earlier in regard to the medical researchers and the demographers arguing for access now?

Mr Cavalier—I can understand their arguments. I think that the material they put forward—I saw that Ken Knight had signed a letter—about genetic disease that was traceable in South Africa is very compelling evidence. But that is a matter upon which they can put forward their own arguments. I would not be prepared to compromise the position of the council to keep matters a secret for 100 years on that basis, as important as it is, though I do think that would be an example—and I choose my words carefully—where, if there were a plague, or some other serious disease unimaginable, it would be possible for representations to be made by interested parties to the Prime Minister and to the Director-General of Archives, the Privacy Commissioner and the Commonwealth Statistician. You could imagine this would be a serious and weighty matter for them to introduce legislation—and I do not think it should be any less than legislation—to allow that sort of limited access.

Mr HATTON—What is the rationale for a 100 years closed period, given the argument you put forward a little while ago quite rightly arguing that the amount of information in the public domain in the hands of credit providers, and so on, is massive and far more detailed than you would actually find in the census?

Mr Cavalier—It is a fair question and probably there are three stumps on the ground as you ask it. However, in order to allay the public concern, we think that not only doubling but trebling it, and adding 10 years to the ordinary period of closure could be the system adopted. All of the records of the Department of Defence will become available 30 years from now, and we are proposing that that rule be applied. You double it, you add another 30 and another 10, and that should overcome any concerns about this material. There is obviously a level of concern which is completely beyond my ken, and I can see it is beyond yours, as well. The parliament and the executive government, both the former government and this government, are

concerned about it. I think that 100 years should meet all of those concerns.

Mr HATTON—What is the basis for assessing that level of concern—the McNair survey, or something else?

Mr Cavalier—No. I would be more concerned about the professional concern of the bureau and economists than I would about paranoia aboard. If they believe that this is going to cause some level of lack of confidence in filling out a census completely or accurately, then in order to enlist their support, 100 years should convince any rational person—and I am about convincing rational people. There is always a level of irrationality that is beyond us all.

Mr HATTON—One could also use comparative analysis, as has been done so far in relation to the British and Canadian experience.

Mr Cavalier—Yes.

Mr McLeod—There is perhaps another point about 100 years, too. If much of information in the census is personal information based on individuals in the community, selection of a term like 100 years clearly puts it beyond the point of any living person's privacy being compromised by the publication of material in the census. Maybe there is a comfort zone there, too, if one considers normal life expectancy and people who live beyond normal life expectancy. One could argue that if a rule of thumb of 100 years is selected as a period which disposes of any legitimate privacy concerns, even by a small proportion of the population, it is easier to develop a set of arguments or an educational campaign to convince people that their privacy is not going to be compromised by release of material 100 years hence.

Mr HATTON—But that would be allaying the qualms particularly of those who are gathering the information rather than those who might potentially use it—who would, in fact, wish to have that access.

CHAIR—There is one final matter. Would it be possible for you to forward to us the list of members of the advisory council and their qualifications and background, Mr Cavalier?

Mr Cavalier—Yes, certainly. We have four vacancies, and we are looking forward eagerly to Senator Alston's replacements. Perhaps the committee, as a reciprocal gesture, might have words with the good senator to make those appointments.

CHAIR—I note your comment. I thank you for your submission and also for coming along today and discussing it with us. We appreciate that.

[6.19 p.m.]

McLENNAN, Mr William, Australian Statistician, Australian Bureau of Statistics, PO Box 10, Belconnen, Australian Capital Territory 2616

SKINNER, Mr Tim, Deputy Australian Statistician, Australian Bureau of Statistics, PO Box 10, Belconnen, Australian Capital Territory 2616

TAM, Dr Siu-Ming, Assistant Statistician, Australian Bureau of Statistics, PO Box 10, Belconnen, Australian Capital Territory 2616

CHAIR—I welcome again Mr McLennan and the other officers of the Australian Bureau of Statistics. I remind you of the warning which I am obligated to give you, which I gave last time. Perhaps you would like to make some further comments at this stage.

Mr McLennan—If I could, Mr Chairman. I have got a bit here, but I will try to be quite brief.

CHAIR—Can I just say that Mr Randall and I have to leave at seven in order to catch planes but Mr McClelland, the Deputy Chair, will take over if we are still going. Both Mr Hatton and Mr Mutch are able to stay, so there will be a quorum.

Mr McLennan—I asked to come back because I thought at the least meeting one of the basic issues in particular was not being addressed, and I thought the relations across the table, to be frank with you, got a bit strained on occasions. I have been thinking about that, and I have made a wish that we are not going to have that happen today.

Mr RANDALL—I hope you don't mind some good questioning a bit later, though.

Mr McLennan—I'd appreciate it. My role as the Australian Statistician is to produce statistics for the Australian and state governments, and for the community generally. I approach this problem from that point of view, as you might expect.

My next comment might surprise you a bit. It is a bit like an outing. I have quite a deep personal interest in tracing family history. I have been involved in doing so for the McLennan clan in Australia, and in my three years in the UK I spent quite a bit of time searching around the census and other records in Scotland. Of course, the Registrar General, who was also the chief statistician in Scotland, was on my staff. So I approach this problem in my job, but also I do have an understanding of the interests on the other side. I think that might have surprised some members around the table.

The fundamental issue is that the census is a statistical undertaking, and I think it is probably the most important one this country runs. Change must be considered from this point of view quite seriously. When the Prime Minister last met with the secretaries and agency chiefs, he said he wanted fearless and frank advice—whatever that means. But my advice to you—

CHAIR—All Prime Ministers say that, Mr McLennan.

Mr HATTON—It depends on the level of the hearing aid.

Mr McLennan—My strong advice, as Australian Statistician, is that if forms are kept there will be a backlash and there will be a significant non-response in the next census. Our estimate—my estimate—is that it could easily be 10 per cent. You already know this.

There are significant implications from the electoral point of view. Just to give you a simple example, I am on the Electoral Commission as well, and there has just been movement of a seat from the ACT to Queensland. It would not have moved if our estimates of population in the ACT had had 650 more people—0.2 per cent of the ACT population. The ACT population is not that big, and 0.2 per cent is quite a small thing. When you start playing around with errors, you start thinking, ‘Heavens, there is a possibility for appeals in the High Court.’ I instance the very strong High Court decision on the need for accurate population estimates.

Population estimates, distribution of moneys—other people have been telling you about this. Also, there are very important statistical implications, particularly if there is variable non-response across groups and across areas. Of course, I say that because one of the main purposes of the census is to provide small area, small domain, small group information, so from a statistician’s point of view it is very serious.

Why do I make this assertion about 10 per cent? Let me assure you the ABS has not invented or engineered any concern about privacy. It has always been there, and it has been fanned from time to time by things like the Australia Card. We have addressed and encountered this every census we have run since my knowledge of it. We have never tamed the beast but we have managed, census after census, to contain it.

I did run through most of our censuses and get out a list of the comments from the research et cetera. I do not know what your process is here, but you could perhaps table this so that people could actually have a flick through it. Because of the shortness of time these are only my own notes.

There is one comment I would like to draw out. In 1979, the Australian Law Reform Commission looked at this in *Privacy and the census*. It is a very extensive look, and it is published as report No. 12 if you want to get it from your library.

I would like to make three quotes from the section on names and addresses. The first one says:

Information supplied by the Council for Civil Liberties, New South Wales, and by the New South Wales Privacy Committee suggests that the requirement to provide names and addresses was more contentious than the obligation to answer specific questions. Masidan Research—

which, at the time, was paid for by the ABS at the behest of the Law Reform Commission—

also showed that the collection of names and addresses itself causes more public concern than the obligation to answer individual questions.

That is something I am not too sure the committee quite appreciates. The real issue is the storing of names and addresses. It is not really answering income questions or those on occupation or industry. They are secondary in this argument.

The commission noted that at the cost of considerable administrative difficulty, it might be possible to dispense with names. Without addresses, however, it would be impossible to collect an effective post-enumeration survey.

Therefore it would be impossible to run a census. That is also extremely important. The Law Reform Commission wanted to know whether it could run in effect an anonymous census. The conclusion at the time was reached that we could run a census without names, but not without addresses. It was never pursued because I think the estimated error in the report was around about 3 per cent.

The key point out of all of that is that the real issues concerning the public—and that have been concerning them to my knowledge every time we run any tests—are shown in various reports from 1971 through to 1996: participants react unfavourably to any notion of any private or personal details being stored.

In this particular exercise, you have one submission with you from the New South Wales Privacy Committee, which in effect says, from its own research and discussion with people—only a few, I have to admit—that they think this is the problem as well. They also refer to two other pieces of research: one conducted by Roy Morgan Research Centre called *Privacy Act Survey 1994*, prepared for the Human Rights and Equal Opportunity Commission in 1994, and also the Roy Morgan Research and Xamax consultancy for Mastercard International, *Privacy and payments: a study of attitudes of the Australian public to privacy, summary and findings*, pages 12 and 13. The Privacy Committee says that these reports also support the points I am making to you.

We also have the AGB McNair survey, which is of some contention in this committee, which also certainly, at the very least, shows significant opposition to form retention. I will come back to the McNair survey in a moment.

I will just add a bit of a jocular nature to the meeting. There has been another survey conducted since I was last talking with you. It was conducted by the Adelaide radio station 5AA—a talkback session—

Mr RANDALL—Scientifically based.

Mr McLennan—Yes, scientifically based. It was very interesting—we could easily make a copy for you—but they did have seven people call in. One was pro keeping the census in strong terms; six were against and 6 to 1 is about 85 per cent, but that does not worry me. What was significant to me were the reasons people put forward. One wanted an anonymous census. In one instance, the Australia Card problem was given as to why they did not want to have a bar of keeping forms. One of them said, ‘Well, if we do it, I will fill it in, but you will get no truth from me.’ Another one said, ‘I don’t trust governments.’ Another one said their concern was with technology and databanks. These, if you look at our submission, are the standard things that keep coming up time and time again over 25 years.

The real problem with the census is that it is universal coverage and it is compulsory. What happens

is that people feel that providing names and addresses is a significant concern to them. There is certainly out there in middle Australia a real problem with it. If you ask me, 'Is it a problem to Bill McLennan?' I could not give a damn. You could publish my form tomorrow on the front page of all the papers, but my job is to collect this stuff, and I am saying to you that there is a real concern in middle Australia about this.

Let us turn to the McNair survey. I have pondered this issue quite a lot since the last meeting. I was trying to work out why we were at cross purposes.

Mr Chairman, I think you raised two concerns from the minutes of the meeting, pages 14 and 15: the nature of the initial set of questions and the asking of leading questions. You listed them and commented that in a court of law you would have been in big trouble—to paraphrase it.

CHAIR—I would like to get away with it, I think, is what I meant.

Mr McLennan—I had not looked at the question very carefully at all before, I have to admit. In my job I very rarely get down to this level. Since then, given the nature of our discussion at that meeting, I have looked very carefully at the questionnaire to see whether your concerns were justified. I have concluded that you should not be worried. Let me tell you why—I think this is a fundamental thing that I did not appreciate at the time, and I don't think you did either—this survey was conducted for ABS purposes as a part of our ongoing research in September 1996, straight after the last census. We had the results in October. This was well before any thought was given to a reference to this committee. This survey was not run specifically for this committee—

Mr HATTON—But you have never wanted to get it out. Is that right?

Mr McLennan—Just a minute. I am prepared to answer any questions. This is one of the problems that we have fallen into. When we ran the survey the public was well aware of the census and its contents, there was no strong privacy campaign in the last census to influence opinion and the census itself was a very smooth operation. From our point of view, as part of our ongoing research, it was an ideal time to assess what the public thought about destruction, et cetera, and destruction in the future.

Looking at opinion surveys, to give an opinion requires thought and analysis. As Mr White from AGB McNair explained at the last meeting, the context must be provided. As this survey was run straight after the census the conduct of the census is the obvious start point. If you look at the questionnaire you will see that the only people who were questioned were those that heard the census. It follows, as far as I can see, that most of them would have known about the conditions under which the census data were collected. They have admitted to knowing about the census; it was straight afterwards. The obvious thing to do is to ensure that they are all reminded of those conditions, which is the preamble question 5 achieves. Whether or not it was a preamble, given that it was so close after the census, it would still be the context in which the questions were answered.

Let me stress again that this survey was run deliberately straight after a hassle free census to gauge the public's attitude at that time, and I think it achieves it. This context setting must be taken into account in interpreting the results, which is why the survey questionnaire was provided. We were extremely careful

about these sorts of things.

On the issue of leading questions, the first and very important point to make is that they are statements and not questions. They are statements of a particular type designed to elicit strong agreement or strong disagreement. This is the very nature of questioning in attitudinal research, otherwise the research questions cannot work. I have been looking around for a simple primer to be able to refer you to. One called *Some issues in the methodology of attitude research* put out by the Economic and Social Research Institute in Dublin has some very good rules which fit this.

The second point is that questions can be worded in what I call either a black or white manner. In general, in a survey of this type there should be both varieties, which is what AGB McNair did. You might recall there were three things we have said: firstly, that census forms should be destroyed to protect people's privacy—and I think you would agree that is a black question—and 89 per cent of respondents agreed; secondly, researchers should be given access to census forms, including names and addresses—and I think you would agree that is a white question—and 73 per cent disagreed; and, thirdly, that census forms should be stored for release in the future for research purposes—again another white question—and 67 per cent disagreed.

I would like to stress that attitude surveys are multidimensional, and there was a lot of early research which showed these dimensions. This questionnaire probed them all and addressed all the research questions we asked. Consistent results were achieved, as I think the 153 pages of results which were supplied to the committee here show.

The bottom line is: does the ABS submission rely on the detailed results of the AGB McNair survey? The answer to that is an emphatic no. There is a mountain of evidence over 25 years to show that retaining names and addresses is a problem, and I suggest to you it should not be ignored.

AGB McNair does show that it is a significant problem. If we used the McNair results on face value, I would be saying to you that the non-response at the next census, if names and addresses were kept, would be of the order of 50 per cent. I am not saying that to you. I am giving you what I think is an optimistic estimate of 10 per cent, which assumes that the ABS is going to be very, very effective in a PR campaign and that there is no vigorous anti-census campaign from civil libertarians.

To conclude, the census is important. When you are considering the issues, you have got to realise it is a very important statistical collection, and I would like not to see serious damage done to that collection. Thank you.

CHAIR—Thank you. I did not particularly want, unless other members feel minded to do so, to canvass again the discussion about the AGB McNair poll. I am not restricting members of the committee from doing so, but I thought it might be an opportunity to look at some of the other issues. We have heard what you have said about that but, as I said, perhaps I can start off with something else first.

Mr RANDALL—Mr Chairman, could I just say, if you would not mind, that our previous witnesses from the ANU, in particular Dr Gordon Carmichael, absolutely slammed the McNair survey that you have got

and said it was a generated buttress by yourself to support your position. He was somewhat supported by Professor Peter McDonald. These are pretty eminent people in their own positions. I know, Mr McLennan, you are top of the tree in yours, but these people are considered probably top of their profession as well. How do you respond to that?

Mr McLennan—I must admit I did not hear exactly what either of them said, so I think it would be a bit remiss for me to comment. Without patting myself on the head too much, I have had a couple of years experience, nearly 40 years. I am the Australian Statistician. I have run the Central Statistical Office, the chief statistical position in Britain, and I think my word is reasonably good. I do not know what these gentlemen said. I do not know their own background to justify the comments.

Mr RANDALL—I will not get into an across the table argument about it. All I am saying is that there are people out there—not just those two gentlemen (and this is where the argument will rest as far as I am concerned about McNair, although I have other things I want to ask you)—that have come before this committee, with some qualifications over a broad range, and have totally slammed your survey—a survey that you are offering up to government departments and other people that you are suggesting come here as witnesses as the main form of objection.

Mr McLennan—What I did hear a moment ago was Rodney Cavalier, the Chairman of the Advisory Council for Archives, actually say that he thought AGB McNair were a very good operation and did a good job. That was the last witness a moment ago.

Mr RANDALL—Yes, but he did say other things too.

Mr McLennan—But he did make that comment specifically.

Mr MUTCH—I do not think he had read the survey. I do not think he had actually looked at that particular piece.

Mr Skinner—I am not sure Mr Carmichael had read the survey when he wrote his submission to the inquiry, either.

Mr RANDALL—I will keep on, Mr Mutch, if you do not mind, because I have to catch a plane shortly. I hope Mr McLennan keeps this nice demeanour that he said he was coming to the committee with today.

Mr McLennan—I'm a reformed character!

Mr RANDALL—Because the buck stops with you and you are the Australian Statistician—

Mr McLennan—It does actually, that is quite right.

Mr RANDALL—I need to ask you these questions and I assume you assume responsibility for what happens in the bureau. There are a few things that I have taken personal umbrage to regarding your

involvement in this inquiry. For example, did you or did you not suggest that you would like to get us out of this room and sue us?

Mr McLennan—No.

Mr RANDALL—That is the answer?

Mr McLennan—‘Get you out of the room’? I am sorry, what do you mean?

Mr RANDALL—If we repeated this matter out of this room, you would like to sue us.

Mr McLennan—If you repeated things out of the room that were of a nature, I would have to consider my position, wouldn’t I?

Mr RANDALL—Well, that is intimidatory, to start off with. Are you aware of a gentleman called Dr Ian Nicholls, an honorary visiting fellow and eminent geneticist?

Mr McLennan—The name sounds familiar, but I cannot place him.

Dr Tam—I have heard of him.

Mr RANDALL—Dr Nicholls wrote an article, in his role as a geneticist, to the *Sydney Morning Herald* regarding the retention of the census data as it would help in tracing genetic and hereditary types of disorders. Are you aware of Dr Nicholls ringing you, Mr McLennan?

Mr McLennan—No, not off the cuff. I can check records. How long ago?

Mr RANDALL—It is in *Hansard*. We can provide you with that information, but I cannot provide it for you now. Dr Nicholls did tell us when he wrote to the *Sydney Morning Herald*. To your knowledge, did Dr Nicholls contact the ABS and offer to go to Belconnen to speak with you and offer his arguments?

Mr McLennan—I cannot answer any more than what I have said—I do not know.

Mr RANDALL—You are not aware of anybody in your department who might know whether that offer was or was not taken up?

Mr McLennan—I have asked my two colleagues and I do not think they know, do they?

Dr Tam—Let me answer that question. I did see the letter published by Dr Nicholls in the *Sydney Morning Herald*. It was a letter to the editor. I did ask staff to contact him to get the papers that might be of some relevance in understanding how census data may be used for genetic research.

Mr RANDALL—Who did? You did?

Dr Tam—I asked a staff member.

Mr RANDALL—You did not speak to him yourself?

Dr Tam—I did not speak to him. We did get some papers from him and I still have a copy in my own files. I have gone through some of the arguments—they are pretty old arguments. That research was done 90 to 100 years ago. I am not aware that he has offered to visit us.

Mr RANDALL—Well, he has, and that is also in *Hansard*, I believe.

Mr McLennan—If he wants to come and visit us, that would be fine.

Mr RANDALL—You refused him when he contacted you. He has told us that.

Dr Tam—I do not think he has contacted Mr McLennan. At best, he has probably contacted my staff.

Mr McLennan—I will put on the record that he has not contacted me. I am responsible for the census.

Mr RANDALL—I will endeavour to glean some more information from Dr Nicholls.

Mr Skinner—If he wants to come, there will be no problem.

Mr RANDALL—This is leading up to an eventual conclusion, if you will bear with me. Have you said recently that if you were not able to destroy this information—and you alluded tonight to about 650 votes in Canberra—you might have to redraw the federal electoral boundaries on an annual basis? Have you said that to anyone?

Mr McLennan—No, not to my knowledge.

Mr RANDALL—I had a discussion today where you were quoted.

Mr McLennan—Draw boundaries annually?

Mr RANDALL—Annually.

Mr McLennan—I am not responsible for drawing them.

Mr RANDALL—You are a part of the team.

Mr McLennan—I am part of the augmented Electoral Commission that takes into account the boundaries that are redrawn by the specific electoral commissions that are set up in each state to do each thing.

Mr RANDALL—We understand that you are part of that team that looks at the redrawing of boundaries in each state.

Mr McLennan—At the last stages. We have just done two, one here and one in Queensland.

Mr RANDALL—And one in Western Australia before that.

Mr McLennan—Last year—that is right.

Mr RANDALL—My point is that the way it was said to me—and I am sure you will wish to comment on this—was that it was an intimidatory gesture, that if this was not done that you would have glee in redrawing our boundaries.

Mr McLennan—Why would they be redrawn? I do not understand.

Mr RANDALL—I will say it again: if the information was destroyed and there was a grave error, there may be a need to redraw the boundaries on an annual basis.

Mr McLennan—May I ask who said this?

Mr RANDALL—You can, but I am not going to tell you at this stage.

Mr McLennan—Sorry, that is what I meant. You are quite right.

Mr RANDALL—We have had an enormous number of government agencies appear before this committee, such as Treasury and the Commonwealth Grants Commission, all government agencies that support your position, yet the private people who come before us seem to have a contrary view. My impression is, from the information I believe I have gleaned, that there is an inference, if anything—certainly I believe it has been said off the record—that they feel somewhat intimidated by yourself to follow your line; that you have contacted them, given them the surveys and asked them to put in a submission supporting you, otherwise you will be less than forthcoming in the future.

Mr McLennan—That is certainly not true. What is true is that we did write to all major users and told them that the inquiry was on and told them that, in our view, if census forms were kept there would be a problem with non-response and that it would be in their interest to tell you how important these census statistics are to them. If I did not do that, I think I would be remiss in my duties as the Australian Statistician.

Mr RANDALL—I just want to say, in summing up, that from those four instances—and you have not agreed with any of them—if there was any truth to them it would be seen as intimidatory bureaucratic thuggery by yourself, wouldn't it?

Mr McLennan—I am not too sure. I must have a pretty bad reputation if you think I can intimidate blokes like Ted Evans, et cetera. I think the reality of life in the Public Service is that the Statistician is quite low down the pecking order. In the life of the bureaucracy in terms of serving state governments, Commonwealth public servants are quite a low form of life.

Mr RANDALL—So are politicians.

Mr McLennan—I think statisticians might be down a bit lower.

CHAIR—We will not go into that.

Mr RANDALL—Lastly, because we are running out of time, previous witnesses have said that you are starved of funds and that because of the cost cutting measure you did not have sufficient funds to gather information on children from divorced relationships. I would like to know what the cost has been to have your observer follow us around the country.

Mr McLennan—I could obviously give you a factual answer to the second question on notice.

Mr Skinner—Could I also suggest that you not necessarily accept the evidence of the previous witnesses in regard to that. I think they were confused as to the reasons why that particular Family Court issue arose. But it is not relevant to this inquiry, so I am not sure whether we want to pursue it.

Mr RANDALL—You mentioned an amount of evidence that you have got other than from the McNair survey. I am sure the other questions will bring it out, but at this stage that is all I would like to say.

Mr MUTCH—Still on that survey, you said you had not looked at it very much before.

Mr McLennan—I never looked at the questionnaire before at all.

Mr MUTCH—But you have now.

Mr McLennan—Yes.

Mr MUTCH—And now, in a sense, you are putting your reputation on it. Did you then look at the results of the pilot?

Mr McLennan—Personally, no.

Mr MUTCH—It is just that I spoke to a fairly eminent person from the Communications Research Institute. I asked, ‘How would you assess the veracity of this survey?’ He made a few comments about it but would not be drawn on it professionally. He said he needed to look at that information to comment on the veracity.

Mr McLennan—Perhaps I should comment a bit further. I am on the board of governors of the Communications Research Institute. I was the chairman of the board of governors for about 10 years.

Mr MUTCH—Firstly, I asked for a copy of the pilot the last time the ABS were here and, to my knowledge, it still has not been received by this committee. It has been several weeks.

Mr McLennan—We will chase it up. We will get it for you.

Mr MUTCH—I need to have that analysed myself so that we can ask you further questions about it. You would not have any objection then to the Communications Research Institute having a look at the pilot program and the survey?

Mr McLennan—Not at all, no.

CHAIR—Having said that we were not going to deal with this, it is suggested that another of my colleagues wants to also say something, because he was not here last time.

Mr HATTON—Thank you. If you included attitudinal research and questions that were based on that approach in your census, what weight would you then give to the quality of the census in which you had the information available to you?

Mr McLennan—That is a complicated question. It is my understanding and my belief that attitudinal questions are quite difficult to ask in terms of a self-enumeration questionnaire. Our census is by self-enumeration. In fact, that is one of the big decisions when we are deciding topics—whether you can collect good information on a self-enumeration basis. My first instinct would be to say I think it would be difficult to be asked a battery of attitudinal questions and get good results, but I may be wrong.

Dr Tam—I should like to add to that. There is a lot of demand on factual information for planning for various purposes and the census has not always been able to meet those demands; and there is a very thorough process of assessing the topics to be included on the census form, including a final tick by the cabinet. If you ask me to look at a crystal ball, I just cannot see why attitudinal questions would be justified to be included on a census form as compared to the large amount of factual information we want to collect.

Mr McLennan—What we do have is a big battery of surveys we run all the time and we have quite a big survey activity. If there was a demand for this sort of thing, I think my instinct would be to suggest an interview method would be the more appropriate way to go.

Mr HATTON—Obviously the point of my question is something different, that is, a question as to what weight you give to, and the experience you have with, factual surveys such as the census—and that experience is profound—what experience you have in relation to attitudinal surveys conducted by ABS and how much you use those, and then how you would relatively weight them in terms of their reliability. My guess is that the answer would be that the reliability of the census is extremely great because it is asking for factual information, but the reliability in relation to attitudinal surveys, of course, is very questionable because they can have loaded questions in them.

I would suggest—and I have a cursory view—that they are very loaded questions. The ones you read out as black and white I could not really see how they would be black and white in one way or the other; they were heavily loaded. What you argued is that attitudinal research demanded heavily loaded questions and it was okay if they did that. But in the context that is created by that research in terms of the first leading questions and then those conditioning the others, methodologically you could end up here because you have started there and you have reinforced that along the way.

As to the comment in regard to when this in fact took place, is it or is it not the case that historically the Bureau of Statistics has not been in favour of the release of the census records, because the point you made was that the inquiry had not even come up when this survey was actually conducted?

Mr McLennan—It is factually true that the ABS, since 1971 at least, has been quite heavily against the retention of names and addresses and the census forms, whether they be the forms or kept in electronic version, the reason being that in 1971 there was an extensive political campaign by the privacy people when they found out that the ABS did actually still hold several censuses forms and they were threatening rather dramatically not to take part in the 1971 census. The then Treasurer—Billy Snedden—did not wake up one morning in a fit of pique or with a hangover or something and decide to destroy these forms. The reason he gave us the direction was that he had intense political pressure, and that is where it started.

We at one stage thought that we would not be able to run the next census—the 1976 census—because there was quite a profound amount of public unrest. The 1976 census was the long one they had the trouble with. Part of it may have been our fault in that we may have been trying to ask too many questions and some questions may have been a bit sensitive. All our research was showing that this was a significant problem for us. If you look at the handout I put across, every research we have done comes up with the same answers.

So if you ask me, Bill McLennan, as the Australian Statistician, I am quite anti it. If you ask me as Bill McLennan, a person in society, a person who is interested in family history, I have no problem with my census form being retained. You could publish it tomorrow. But I assure you that, out in mainland Australia, even in conservative Adelaide, there is a strong feeling—and there has been for years. We have been fighting it to make sure we keep it down and can run a good census. As a result of the Australian Law Reform Commission's review of this, they decided to recommend to government that one of the things for running censuses should be that a very adequate amount of money should be given to us to try to influence public opinion at census time. I do not know what we spent at this census.

Dr Tam—Three million dollars or thereabouts.

Mr McLennan—We got a lot of value for money this time because we were able to link it in with the Olympic Games and Atlanta. So we do spend a lot of money trying to contain this problem at census time. There was a reference, I think, made somewhere during this committee—I do not know whether it was last time I was here—that we should have been able to change opinions across Australia. All I can say to you is that I would have liked to have been able to, but the facts show that we have not. All we have been able to do to date, at the time we were running the census, is to contain things. We are very careful about the sorts of things that go into the census now so that they do not raise privacy problems. We may be paranoid, I do not know, but the facts look pretty gloomy to us.

Mr MUTCH—I do not want to harp too much on this but, just going back, you seem to be making some point that you had no interest in affecting the result or guiding the result of that survey we have been talking about.

Mr McLennan—That is correct. It is part of our ongoing—

Mr MUTCH—Yes, it is part of your ongoing research because you were not aware, though, you said also, of the campaign, or you made comments to the effect that you were not aware this was an issue.

Mr McLennan—It has been an ongoing campaign since 1971—

Mr MUTCH—What was your comment, though?

Mr McLennan—My comment was that we had run this survey and had the results before I ever heard that there might even have been a reference to this committee.

Mr MUTCH—Yes, but you were aware that I had written to the Treasurer in May 1996.

Mr McLennan—Senator Gibson, I think, was it not?

Mr MUTCH—It was the Treasurer, who referred it to Senator Gibson. I also had a meeting with officers of your department in May. So you were very much aware that I was going to raise this within the government and that I was waging a campaign. In fact, as early as July, there was an editorial in the *Sydney Morning Herald*.

Mr McLennan—With respect, there are a lot of steps between a member being interested in something and having a reference to a standing committee of parliament.

Mr HATTON—Statistically it is possible.

Mr McLennan—Yes.

Mr MUTCH—What I am trying to clear up is that you were well aware that there was a movement within the government to revisit this issue. I wanted to make that clear.

Mr McLennan—There have been movements within governments quite often. I meant in terms of this thing, of course.

Dr Tam—I want to add to that. I did check the timing of the survey. In fact, I understand that you made a speech in parliament to ask the government to set up an inquiry. I actually did a recent check on the timing. In fact, the survey was completed two weeks before you made that speech.

Mr MUTCH—I do not know how well you accessed the parliamentary *Hansard*, but you obviously were not there for my maiden speech.

Mr Skinner—I think it is fair to say this issue has been raised in parliament and elsewhere for 20 to 25 years. We have had motions put before the parliament over a period of years.

Mr MUTCH—I just wanted to clear up that point, though.

Mr Skinner—I think the point Mr McLennan was making was that it was prior to this inquiry coming about.

CHAIR—Before we go on, I have to excuse myself, Mr McLennan. Mr McClelland is going to take over from now on.

ACTING CHAIR (Mr McClelland)—Mr Mutch, have you finished?

Mr MUTCH—No. There were a few other things that I think we asked for.

Mr McLennan—You asked for a statement which is being prepared and should be ready in a week or something. I must admit I did not think you required it this quickly.

Mr MUTCH—No, I just wanted to have a look at it.

Mr McLennan—No, certainly, give us a week or so and we will have it across.

Mr HATTON—For a long time we have had ‘Dodgy Brothers’ surveys and ‘Dodgy Brothers’ media programs countrywide, creating a lot of problems in terms of any government department really putting forward any sensible way of doing things. Government departments come under a lot of pressure, as you have indicated, because you can be pounded to death by the media.

Do you think currently we have got adequate privacy laws or do you think we need to have stronger privacy laws given we have got a recent reaction from the European Commission which indicates that they may not be willing to trade with Australia particularly in terms of electronic commerce and so on because we do not have strong privacy laws and, if we did have stronger privacy laws, there would be less of a problem in terms of opening up or retaining and then allowing access for reference purposes?

Mr McLennan—In terms of my job, I would have thought the privacy laws are pretty strong under the information privacy principles and how we operate. Just for your information, in running a census, virtually every step of the way we clear the privacy things with the Privacy Commissioner. We clear how we might approach people. We clear what sorts of forms we might have, whether we have envelopes to be collected or other sorts of envelopes to be sent back straight back to the bureau. We work extremely closely with them and I have to say that the privacy people do ensure that we are fully compliant with their operations. We do the same in all our household surveys as well. I think we have a healthy and robust, should I say, relationship with them; straight talking. The privacy commissioners tend to look you in the eye and tell you the facts of life, and we tend to do the same a little bit. You asked me whether we need stronger privacy laws. From the point of view of my job, I am not too sure.

Mr HATTON—It is a loaded question.

Mr Skinner—On pages 32 and 33 of our submission we actually go through comments made to us by the previous Privacy Commissioner from his perspective, and I think it is followed up in the current Privacy Commissioner Moira Scollay’s submissions. A number of observations welcomed the continuation of the

policy of destruction of census forms. If I could put it as an observation, the Privacy Commissioner, with full knowledge of his privacy principles, was very enthusiastic for the fact that this additional protection, if you like, would be available through the census. There is a series of quotes on page 33 about the processes Mr McLennan referred to where we were sending documents to him at various stages and he would come back. We have just picked up certain quotes about that aspect of the destruction of forms. I just put that as an observation, as a privacy commissioner's view of the world, if you like.

Mr HATTON—I can ask loaded questions.

Mr Skinner—Obviously, out in the private sector, the privacy rules are different. But, from where I stand, I should not have a view on that.

Mr HATTON—The point is that we have got a problem in terms of public opinion here, haven't we? We have surveys relating to all this sort of stuff. We have a history of a lot of resistance, of campaigns being whipped up in relation to privacy issues. It has been argued that we do not have laws that are strong enough, and very recently we have had a bit of a hammering coming in from Europe and a potential difficulty in terms of us being able to trade with Europe and the United States because they are saying that our privacy laws are not strong enough in terms of electronic databases and so on and that, unless our laws are as strong as theirs, they might not trade with us. So what I am pushing—

Mr McLennan—We do not have any at all, do we?

Mr HATTON—Virtually, no. So what I am pushing towards and leaning towards is that, in terms of public perception, if it is the case that our privacy laws are not strong enough, the concerns would naturally be greater and you could whip up campaigns more readily. If we had a really heavy strong set of privacy laws that could be imposed, not just upon government departments, but upon private individuals, private companies and, in particular, outside of your purview totally, the credit companies, the banks, all of those organisations in our society, which have got more information on people than the ABS has ever been able to get—

Mr McLennan—I agree with that.

Mr HATTON—and unfortunately is far too readily available.

Mr Skinner—Except to genealogists.

Mr HATTON—At a price probably. I suggest we have got a significant problem there that needs to be dealt with outside of the government purview, and there should be stronger controls. If there were, particularly to cover those electronic databases held by those private entities, this situation that we are discussing may be looked at on a slightly different level.

Mr McLennan—We are almost paranoid about confidentiality in our place. I think Dr McDonald from the ANU, who appeared here a little while ago, made that point. We are allowed to release unit record information that is not identifiable basically. I will not delegate that power to anybody in the bureau, it has

got to come to me and I take an extremely strong line, as my colleagues on my right and left will tell you, and the people at the back of the room too.

If we ever accidentally release identifiable information, I have a view about that. The very strong compact that we have with people and with businesses in Australia—we get extremely high response rates—has got nothing to do with compulsion and powers, I can tell you that; it is a very strong belief that we will not do anything to them. That is something that we treasure. I think it is a very big asset to the Australian society, and it is something that we hold very closely. That feeling on my part is behind some part of my position in my submission.

ACTING CHAIR—I suppose the privacy laws are one issue and that is something we can come back to it by all means, but I just want to get the crux of what the options are from our point of view. As I see them from our point of view, we could make three recommendations. We could make a recommendation to retain the status quo; we could make a recommendation that census forms be retained but locked away for 100 years or a significant period of time beyond the average lifespan; or we could recommend, as a third option, the same locking away for a 100-year period, but with provision for people to opt out of that. In other words, someone who was concerned about confidentiality having the ability to tick a box objecting to their particular record being retained. Is your opposition to the retention of census forms different according to which of those three alternatives are followed?

Mr McLennan—Well it must be, because I would not have opposition to the first one—retaining the status quo. Let me place that on record, in case there are any doubts. The real question you are asking me is the opt-out one, isn't it? I have stated my position on both the first and second one quite clearly. I would like to take that one on notice and come back and give you a detailed answer, but I am prepared to chance my arm a little bit, on the understanding that I might want to come back and contradict myself.

My first impression about that is, it is obvious you are trying to come up with a win-win option. For our side of it, I would have thought asking people to tick boxes like that, would put in their mind quite strongly that the forms were being kept. And I would have thought even if they ticked 'No, don't keep my form,' they would still have this concern, 'These buggers could make a mistake and keep it.' So I think it does not allay very much the natural suspicion out in society. I am not too sure whether legally I could ask those questions, but that is a different issue.

On the other side of things, and I think this is quite significant, I do not think that option of asking people to opt out—and let us say 50 per cent say you can keep them; I would tick it and say, 'Bill McLennan, you can keep my form,' I can tell you now—

ACTING CHAIR—I suppose there is an opt in or an opt out.

Mr McLennan—Yes, an opt in. Let us say 50 per cent opted in—

ACTING CHAIR—That is one.

Mr McLennan—I have no problem with it personally. But let us say 60 per cent opted in—I do not

mind. I think that immediately ruins the basic argument of the genealogical people. You either get them all or you get them none. Getting a random selection or not even a random selection but a self-selecting section—

ACTING CHAIR—You would probably have fewer people—I do not know; I have not heard expert evidence—opting in than opting out, I would imagine.

Mr Skinner—The Privacy Act would require us in such a circumstance to ensure that the consent was informed, that people knew what they were doing. In having an option or even putting forward the proposition, I guess that having to opt out gives you a better response than opting in would imply—that people really did not understand what the question was about because obviously then one thing leads to another. That would be our obligation and I think it would be an exceedingly difficult thing for us to get across in the context of the census campaign.

ACTING CHAIR—Wouldn't it be easy to say, 'Do you object to this census form being retained for future research to be released in 100 years time'?

Mr McLennan—I will take this on notice, but let us say 50 per cent say yes and opt in. I think that ruins straightaway the argument of the genealogical—

ACTING CHAIR—That is a separate issue, though. That is their problem—

Mr McLennan—All I am coming to is that, rather than win-win, we might be coming up with a loss-loss.

Mr HATTON—But the records for the genealogists are really fragmented now, anyway, aren't they? They really only have partial records.

Mr Skinner—Some of the evidence suggested that was not the case, though.

Mr McLennan—Mr Cavalier just a moment ago said it was all or nothing.

Mr Skinner—There are some significant issues and I think we can give you a full response. One of the issues I can give you is that there is no option on the form for a tick a box. Let me just run you through it. The names are actually across here. The person who fills that out in the household is one person on behalf of all others. Who is going to give the consent? The person who filled out the form? Or will we now redesign the form so we have to capture every one of those? One of those people down there in my household is a minor. What are you going to do with them and their form when they become of responsible age? Do we have to give access?

The Privacy Commissioner will insist that when we have captured and stored it, if you wanted to have a look at your record to make sure it was okay, we would have to give you access to it. It raises all sorts of operational issues as well as, I think, some legal issues associated with it. At this point in time, I am not even sure we can hand on the form.

ACTING CHAIR—We have had some evidence that there are benefits aside from just busybody genealogists. For instance, you can research over time whether there is such a phenomena of inherited poverty from a particular area. You can research over time as to the effect the First World War had in decimating particular local towns. And people in 100 years time can look back and say, ‘By looking at what happened in the electorate of Barton in 1975, we are able to see that because of lack of resources being put into English as a second language’—I have got a high migrant population—‘this particular area remained poverty stricken and in our future planning we know it is very important to put more resources in there.’ So there are legitimate social reasons to retain this information; it is not just busybodying. And if you can come up with an answer that retains the validity of your research but provides that resource, it would be a benefit overall. Are you being too bloody minded when there is a benefit that can come?

Mr McLennan—I would have actually thought from our censuses and the statistics and from our surveys that we could do all that for you today.

ACTING CHAIR—You could?

Mr Skinner—Professor Bob Gregory at the ANU has already done just the study you are referring to, looking at cycles of poverty.

Mr McLennan—You do not need names and addresses to do that.

Mr Skinner—He just went to census records over each of the last 20 years. I think he started in 1976 and took it through 1991 and he indeed did just the study you are referring to.

Mr McLennan—We are not throwing the records away. We have still got the recent records anyway; we have still got all the recent records.

Mr Skinner—The problem with the data set delivery of such a tick a box arrangement is that you would have no notion of, or would not be able to control, the non-response that occurred. And that will vary by age, sex, marital status, ethnic origin, region—all sorts of variables. To the extent that that occurred, you would not be able to correct for it in your analysis because it will be a group of people who presumably have an interest in keeping records for particular purposes. It has got very little to do with a group of people who perhaps provided a decent representative sample to do that sort of research that you are talking about. There would be a lot of dangers in the sorts of studies based on that sort of thing.

Mr MUTCH—Have you discussed this sort of thing recently with the Australian Institute of Health and Welfare? We received their submission today. Dr Richard Madden]would be well known to you.

Mr McLennan—He was. He was the deputy in the ABS for three years—1992, 1993 and 1994. Tim here is on the board of the Institute of Health and Welfare as my delegate.

Mr MUTCH—I am not sure if Dr Madden has had a change of view, but the submission from the AIHW was in support of retention on the basis of access for research. They gave evidence of a number of areas where name identified data would be invaluable—in fact necessary—for very valuable longitudinal type

work. As this inquiry is unfolding we seem to be finding more and more demographers, sociologists and scientists putting to us that they think we really are wasting a valuable resource. The AIHW did say that they felt that if it was put to the population that the data was only going to be available for research purposes and stay within the ABS that that would be accepted.

Mr McLennan—I think their point may have been that it stayed within the ABS.

Mr MUTCH—They made the point that it stayed within the ABS. Sociologists have been putting to us quite strongly that they would just find access invaluable and that they would then be able to make a contribution to the decision making of governments from the research they could do on this information. That was one point I wanted to make to you. If we, as an inquiry, came up with a proposition to you that we want to facilitate the use of this invaluable data, would you be as committed to pursuing the request of the government, if it chose to make a decision, as you are in presenting the present objections? Would you be able to take on board a government decision and pursue it with as much dedication as you would an opposition proposition?

Mr McLennan—Within the constraints of the Act, we have to do that quite often. For the last three years we have had a 15 per cent cut and we had to deal with great dedication whether surveys were going to be stopped.

Mr MUTCH—You seem to say in your submission that the real reason is that you have created a climate in this country over the years that you have been collecting the census and that you virtually created that climate because of your good work, the way you promoted it.

Mr Skinner—I do not think we are saying that.

Mr MUTCH—I will quote from the submission if you like.

Mr Skinner—What we are saying in effect is that there have been concerns about privacy in the Australian community for at least the last 20 to 25 years. From time to time it has fanned up and in every census we have to address it. But there is no doubt that we have been very successful as we have addressed it.

Mr MUTCH—They were your words, Mr Skinner. You said that ‘it would be impossible to unbundle the effects of the conditioning process’.

Mr Skinner—Let me take you back to 1971 when there was no unbundling to be done. A decision was made at that point of time, politically, that the forms ought to be destroyed and the reason was privacy concerns. There was a very substantial privacy campaign across Australia by a new political party who saw advantage in doing so. As a result of that a decision was made. I could unbundle it in 1971; I cannot unbundle it from that point onwards.

Mr MUTCH—With all your expertise and with advice from all the experts, professionals, in the country, do you think over a period you could work up a campaign that arrived at a similar situation to that in Canada? We have been told today that the Canadian statistical collections are better than ours, but at least

they are as good as ours.

Mr Skinner—Their census is not as good as ours.

Mr MUTCH—Why can Canada do it and we can't?

Mr Skinner—I think we have explained that in our submission. Our cultures and our backgrounds are different. They have social security numbers and we do not. Why did an Australia card go down in Australia in 1998 and it did not in Canada? I cannot answer those questions.

Mr MUTCH—But you really have not engaged in an exercise of saying, 'We want to do it and if we did this is how we would do it'?

Mr Skinner—I think I went on in the quote that you have just given, and Mr McLennan referred to it today, that we worked on the assumption that we would be able to run a very successful campaign and convince 90 per cent of the people who hold a contrary view at the moment to change their minds. That will still leave us with a 10 per cent problem, and with a 10 per cent problem we will destroy the purpose of it. This is the fundamental purpose of the census.

Mr McLennan—This is the real issue. When you look at the numbers, this is what it comes down to. I talked about the New South Wales Privacy Commission submission. You have got it there. At the end of it, it says:

This, in turn, suggests that retention of name and address data has the potential to evoke a more intense response. The distrust expressed by some callers also points out the symbolic importance of destroying the original forms as a way of underlining the ABS's general commitment to confidentiality.

You asked whether there had been some conditioning. Since 1971 people might have been conditioned to us destroying the forms. I think this is what the New South Wales Privacy Commission has said. I think that might be hard to undo. You asked the direct question and it is something that we might have done.

Mr MUTCH—It seems to me that politicians cause this conditioning as much as anybody. We have these periodic fads where we want to go on a privacy issue. Then we have these periodic fads where we want to go on a freedom of information issue. But we are part of the problem as well. What happens if you had a resolution of both houses of parliament saying we would like to retain them? If you had every privacy commissioner in Australia saying, 'We have observed this process and we would say, yes, it can be done; we have the ABS and the Archives'—whoever—'going to store it, it is as safe as Fort Knox, and we all got together,' don't you think we could achieve the purpose?

Mr Skinner—I think you are coming down to the observation Mr Hatton was making earlier: some sort of structural change, some sort of resolution or whatever, bringing about some sort of cultural change in attitude. It is possible; we do not know. At the end of the day, it would stand or fall on the extent to which the public out there trusted the statements that were being made by the parliament and by agencies like ourselves. I do not think you could judge that until we got there.

Mr MUTCH—There are all sorts of political opinion today. You have got the Democrats, and their forerunner was the Australia Party. That was the mob that raised the issue before. Now they appear to be very strongly in favour of retention. You have got many members of parliament—you have probably seen the sheets that have been circulated—on both sides—

Mr Skinner—I did an interview on *Good Morning Australia* on the morning of the census. The reason I did it was that we knew a privacy activist from the UK—an Australian but UK based—was going to be beamed into Australia and I was there to respond. The point he was making was, ‘Don’t trust governments. It does not matter what they say to you. You cannot trust, at the end of the day, what a government tells you. If you give them information, it is available to them.’

Mr MUTCH—Why does anybody fill your forms in?

Mr Skinner—I will tell you, at the end of the day, having to respond to that, it was a much simpler matter to be able to say to the host, ‘We don’t capture the names and address, and we destroy them when we finish with it.’

Mr MUTCH—And they believe you?

Mr Skinner—Very high percentages did, or very high percentages cooperated. That is what I can say.

Mr McLennan—I think the research and the responses we get not only to censuses but to business collections and to household surveys does lead to that conclusion: they do trust us. I am quite sure the Privacy Commissioner said something to you about the only Commonwealth agency you could trust being the ABS. They certainly said it in the past. Our assurances of confidentiality are real tight, and we have built up this for a long time.

Mr MUTCH—So, if you assured everybody you would keep them and no-one would ever get access to them for 100 years, they would believe you?

Mr McLennan—They might.

Mr Skinner—They might, but I do not think we would know.

Mr McLennan—What I do know is this privacy animal out there is quite an unruly beast.

Mr RANDALL—I think we all agree.

Mr McLennan—There were rhetorical questions last time asked about Australia Card. I did not want an Australia Card last time. I had a bank number even before all these other things. But middle Australia does not think like that. I would have thought that if government today wanted to bring in an Australia Card there would be damn uproar again.

Mr Skinner—Our major concern, if I can put my view on the record, leading up to 2001—and it

happens at each census—is that there is a window of opportunity just before each census when we can actually start to go public and start engaging the community in this activity that we are going to involve them all in. We are very vulnerable at that point in time to a privacy campaign. There is nothing we can stop at that point. If we came across a very significant privacy campaign with civilian libertarians or whatever taking it on to the public airwaves, I think we would have a massive problem convincing the population if we—governments or whoever—had just announced that we were going to change the policy for some reason. That would be our worst nightmare.

Mr MUTCH—Say we did try it and we commissioned some group like the Communications Research Institute, would you cooperatively work with a group such as that?

Mr McLennan—Commissioned to do what?

Mr MUTCH—To look at how we could save it and maintain the integrity of the census.

Mr McLennan—I would certainly work with them but their credentials in this field are only in questionnaire design. They would know very little about running a census. My mate David Sless might be insulted but the amount he would know about running a census you could write on the back of a postage stamp.

Mr MUTCH—There really are a number of disciplines involved there, aren't there? You are the experts of the statistical side. Then we have got the people who are experts at asking the questions and, presumably, you are pretty expert—

Mr Skinner—We are the experts in asking questions.

Mr MUTCH—I agree with that.

Mr Skinner—I think, in essence, we are experts in factual questions but we do ask attitudinal ones as well.

Mr MUTCH—Are you also experts in running the campaigns and designing a campaign that would be required—sort of multidisciplined?

Mr McLennan—We hire people for that.

Mr Skinner—For that reason we hire different people—

Mr McLennan—That is why we have people doing attitude research and hire other people to work out the campaigns. It is a hell of a lot of money.

Mr HATTON—I am glad to see that at least some parts of government are trusted; at least the ABS is trusted.

Mr Skinner—And the Archives.

Mr McLennan—I think the Archives are trusted, actually. I agree with that.

Mr HATTON—Mr McLennan, you mentioned in your opening comments—I thought it was interesting—that people do not like their names and addresses being taken. Given your association with the Electoral Commission, is it true or not that people do not like their names taken for the electoral roll either, not just the census?

Mr McLennan—I could not give you the facts and figures on that, I have to admit. I think they do have problems getting people to enrol. That is why they walk around the streets and knock on doors.

Mr HATTON—Not just doing household surveys. They do those habitation reviews in order—

Mr McLennan—There was a drop-off recently in my letterbox asking who lives here and are you on the roll.

Mr HATTON—That is to keep it as complete as possible. But just in terms of people's responses to that, to having their name and address on an electoral roll, I make the comment politically that, if you ring a person up using an electoral roll as a database—and all parliamentarians have that—one can often get the response, 'How did you get my number?'

Mr McLennan—The public have got access to that. The electoral rolls are public documents.

Mr HATTON—They are in microfiche form. They are available, so you can walk into any Electoral Commission and look up anyone in Australia who is on the electoral roll and find out what their name is and where they live.

Mr McLennan—That is right.

Mr HATTON—Given that situation, maybe most people do not know about that, but they would probably have a fairly high amount of concern that anyone could walk in and find out where they lived even if they were not in the telephone book; that there is a database out there where they can be pinned unless they are silent on the roll. As you indicated, there is a high level of concern not just that they might be kept, but there is a high level of resistance from people to filling in census forms because they have to put their name and address on it, which they have to do for the electoral roll as well.

Dr Tam—If I may make an observation there, there is a difference there. In the case of putting your name and address on the electoral roll, you are entitled to vote. If you do not do that, you are not entitled to vote, so they immediately see a benefit in doing that.

Mr HATTON—You are also compelled by law to do it, as you are compelled by law to answer the census questions.

Dr Tam—In the case of the census questions, that is also compelled by law but they do not see any immediate benefit to them to fill in the form.

Mr HATTON—No. But the ABS have done an extremely good job over a long period of time telling people how important it is to fill in the census data so that we can have better planning and all that sort of stuff.

Mr McLennan—And telling them when we destroy the forms.

Mr HATTON—And telling them that up to this point in time. Just two other principal areas: what did you do with the 1966 census data in electronic form?

Mr McLennan—This issue was raised a while ago.

Mr HATTON—Why can't it be accessed any more? Is it because it is on an old mainframe or mini-computer which is no longer running and so on; or is it something—

Mr Skinner—I have asked my colleagues around the table and there is a fair bit of experience in this room. We do not know the answer to that. I certainly can guarantee that every census record from 1971, 1976, 1981, 1986, 1991 and 1996 now are permanently available, archived and accessible. I just do not have people in this room tonight who can tell me where the 1966 is. I am aware that in censuses gone by we have had trouble because we had captured them on old equipment and we had not kept up with the technology.

Mr HATTON—And they are proprietary systems.

Mr Skinner—The data won't have been destroyed. What it will be is that we cannot access it. Whether that is happening or not I just do not know.

Mr HATTON—That is the other most probable thing.

Mr McLennan—We could find out for you. If people in this room do not know, it must be a long way away—a long time back.

Mr HATTON—You have all this information—I have asked a number of questions about CDATE 91 and CDATE 96—a massive amount of data and a lot can be done with it already if people have enough money to buy it. If you want to shell out \$8,000 minimum, as it was with CDATE 91, for a basic set of information or \$70,000 or more for a really comprehensive set, you can do a lot with that census data. I understand that it cost a lot to produce it and that the Australian government was paying the costs of producing that. But I don't understand with something as commercially valuable as this, and where there would be an increasing level of use across the community if it were more cheaply available, why nothing seems to have happened to drive the price down. I know we have got CDATE; we had Supermap originally. There is another group, I think, that has just been—

Mr McLennan—There is another one that has just come out last week.

Mr HATTON—And another just came out. I saw it in the paper last week. Most software products stayed up over the \$1,000 mark for a long period. Most of those things are now selling at about \$79, and

they sell in volume. But, with this information, because it is data that you can drill down and drill in all sorts of different directions, people can actually take it, add great value to that and then on-sell that as a product here. It is using that content, which only we have—nobody else has it—not only to create stuff here but to start to create businesses which might end up going off overseas and taking their expertise to Europe, and so on. So why are the prices still high, and why are we not flogging it more broadly at a wider level by knocking the price down?

Dr Tam—My short answer to your question is that census data is available free of charge. We are in the 1991 census, and we are also in the process of creating a CD ROM which contains all the data available in CDATA, which we put on the CD ROM and make available to all libraries that participate in a library extension program.

Mr McLennan—About 600 libraries around Australia. And we have been doing this for a long time.

Dr Tam—We provide free software for access to that data.

Mr HATTON—To CDATA 91?

Mr McLennan—No.

Dr Tam—To the product that we produce specifically for libraries.

Mr Skinner—It is not your full gloss full mapping facility that is available on the CDATA. That is quite a commercial and professional product. This is all the data with some basic access search facilities and basically our mapping facilities.

Dr Tam—No mapping facilities.

Mr Skinner—No mapping facilities. We pay for those as well. We do not own them, but we have a right in them. It is a commercial product. To price that particular product, we take advice from the market as to what price we would be able to sell it at and maximise the return, if you like, for that particular product on the market.

Mr HATTON—Some of the people you might be tied up with have still got their base software at \$2,300. The rest of them have come down much lower.

Mr McLennan—You are asking a very interesting question, philosophically. I was glad that a different product came out last week at a lower price. I am not too sure what that product is, how much data or how much mapping or whatever is with it, but I would be surprised if it is anything like the CDATA one, which has got a full geographic information system sitting on it.

Our main aim in this—I could be considered, I think, the founding father in this particular product when we first brought it out—was to stimulate the market for these sorts of things. If other people are starting to come out, we will look seriously in the next census at not bringing out a product. We do make a

small private sector profit on it. I can stand up and say that it is one of the few things we do where we make profit on it—not a big one, just a small one.

Mr HATTON—I am certainly not against that, and I am not against the government making a profit on this.

Mr McLennan—I find it a bit difficult on some of their other products to make a profit, I have to admit.

Mr HATTON—I am just suggesting that maybe you could make a bigger one. The only reason I have not bought is that they are too expensive. My wife would probably string me up from the nearest light pole if I actually did so.

Mr McLennan—We supply them to schools as well, don't we?

Mr Skinner—That would be discounted. But they are still expensive.

Mr HATTON—Seriously, that is a core reason I have never bought CDATA 91, even though I wanted to. That information is valuable and in my work it would be very useful to be able to look at expenditure patterns in my area and all that sort of stuff—to have it readily available instead of being dependent on someone else doing the analysis of it. I just think the market is a lot bigger—

Mr Skinner—I think the market is pushing us down. As Mr McLennan said, by 2001 we are anticipating that the market pressure could be there with other products, which will enable us to leave the game. If that is the case, if we make that judgment, we will not be there or we may be there in a different shape.

Mr HATTON—I do not see any reason why government departments cannot be in the game and cannot make profits for the people of Australia.

Mr Skinner—In this one we are.

Mr McLennan—We spend quite a lot of money actually getting out there, making sure the CD boundaries were digitised and all that sort of stuff and dealing with the mapping authorities, federal and state. We have been masterminding it for seven years and we have 'a very good working relationship with them'.

Mr Skinner—We also pay exceedingly large moneys to private sector companies to write software for us. That is not built in-house; they were tendered for.

ACTING CHAIR—We have kept another mob outside for 20 minutes. They are waiting to use this room. Thank you very much for coming.

Resolved (on motion by Mr Hatton):

That the document tabled by Mr McLennan be accepted as an exhibit and received as evidence to the inquiry.

Resolved (on motion by Mr Mutch):

That this committee authorises publication of the evidence given before it at public hearing this day.

Committee adjourned at 7.36 p.m.