

## Chapter 1

### Introduction

*The inquiry commenced in May 1997 when the matter was referred to the Committee by the Treasurer, the Hon Peter Costello MP.*

*The inquiry looks at the current practice of destroying name-identified forms collected in population censuses conducted every five years by the Australian Bureau of Statistics. Forms from Commonwealth censuses have never been preserved or made available to researchers. Following each census, the forms have been destroyed once all the statistical data have been extracted and the forms are no longer needed for processing.*

*The impetus for the inquiry came largely from genealogical researchers interested in using the information contained in the census forms for family history research. Academic researchers in such fields as demography, sociology, history and epidemiology have also proclaimed the benefits of the records for research.*

*The Committee was charged with assessing the residual value of census forms for research purposes. The outcome will reflect whether such a value might outweigh concerns that retention of the forms would lead to a reduction in the quality of data from the census and other ABS collections. Privacy, costs and other practical issues are considered in the course of examining the options.*

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### The reference

1.1 The House of Representatives Standing Committee on Legal and Constitutional Affairs commenced its inquiry into the treatment of name-identified forms collected in population censuses on 7 May 1997 at the request of the Treasurer, the Hon Peter Costello MP.

## **Inquiry process**

1.2 The terms of reference for the inquiry were advertised in the national press on Saturday 31 May 1997. Invitations to make submissions were sent to a wide range of persons and organisations including: State premiers and Territory chief ministers, Commonwealth departments and agencies, academic institutions, genealogical and family history associations and other interested persons and bodies.

1.3 The Committee received 291 original submissions. Many of the original submissions contained relevant materials which were classified as exhibits. Fifty-six exhibits were received from individuals and organisations.<sup>1</sup>

1.4 Public hearings were conducted during the period September to November 1997 in Adelaide, Brisbane, Canberra, Darwin, Hobart, Melbourne, Perth, Sydney and Wollongong. Oral evidence was taken from 90 persons during these public hearings.<sup>2</sup> Some evidence was taken in camera from the Registrar of Births, Deaths and Marriages.

1.5 The Committee distributed the submissions authorised for publication and the transcripts of evidence from the public hearings widely.

1.6 During the course of the inquiry the Committee held discussions with the indigenous Tiwi community on Bathurst Island and visited, the Australian Archives repository at Mitchell ACT, the processing centre for

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1 A list of individuals and organisations who made submissions is at Appendix A. A list of exhibits is at Appendix B.

2 A list of witnesses who appeared at public hearings is at Appendix C.

the 1996 Census in Sydney and the Kiama Family History Centre. In addition, while on overseas study tours two members of the Committee consulted foreign government officials about issues relevant to the inquiry. The chairman held discussions in the US with Dr Martha Ritchie, Director-General, and other senior staff, of the Census Bureau in Washington DC. Mr Mutch held discussions in New Zealand with the privacy commissioner, the chief government statistician and the chief government archivist, among others.

## **Background to the inquiry**

1.7 A census of population and housing (commonly referred to as ‘the census’) is conducted by the Australian Bureau of Statistics (ABS) every five years in accordance with the *Census and Statistics Act 1905*, section 8. The last census was conducted on 6 August 1996.

1.8 The census is regarded as the single most important source of statistical information in the country. Its main purposes are to accurately measure the number of people in Australia on census night to provide a reliable basis to estimate the population of each State and Territory, and to provide information for small geographic areas and for small population groups.

1.9 The information from the census is used to produce statistical data for use by governments, academics, industry, businesses and private individuals. Results from the census also provide a benchmark for surveys conducted on a smaller scale by government, academic institutions and private industry.

1.10 Census forms are filled out by all people in Australia on census night, with a few exceptions.<sup>3</sup>

1.11 While some early colonial censuses have been preserved and are available to researchers, forms from Commonwealth censuses have not been preserved or made available for research purposes. Following each census, the forms have been destroyed after all the statistical data have been extracted and the forms are no longer needed for processing.

1.12 Evaluations, conducted by the Australian Archives<sup>4</sup> under the *Archives Act 1983*, of records from the 1986, 1991 and 1996 censuses concluded that the records from each of those censuses should be destroyed to protect the statistical integrity of the censuses and of other ABS collections.<sup>5</sup> At the same time, each evaluation acknowledged that the forms had high potential value for research purposes.

1.13 Genealogical researchers in particular have argued for many years for the retention of name-identified forms collected in the census for the purpose of family history research. Their interest has been

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3 Some exceptions exist such as the exclusion of foreign diplomats and their families and the inclusion of persons outside Australia who are not required to undertake migration formalities such as those on oil and gas rigs off the Australian coast. Visitors to Australia are counted regardless of how long they have been in the country or how long they plan to stay. Australian residents out of the country on census night are generally outside the scope of the census. The external Territories of Cocos (Keeling) Islands and Christmas Island were included in the 1996 Census. The results for these Territories were included in the counts for Australia for the first time in 1996.

4 On 27 February 1998, the Minister for Communications, the Information Economy and the Arts, Senator the Hon Richard Alston announced a change of name for the Australian Archives to the National Archives of Australia. As the evidence to the inquiry refers throughout to the Australian Archives, the report will use the old name except where recommendations are made.

5 The reasons for destroying the records are discussed below in Chapter 2.

expressed in letters and petitions sent to ministers, members of parliament and government agencies. The Committee received numerous original submissions along with some 900 'form letters' from individuals interested in family history.

1.14 Academic researchers in such fields as demography, sociology, history and epidemiology have claimed that there would be benefits for their research in retaining name-identified census information.

1.15 The census is regarded as a prime source of potentially useful data because it captures a wide range of personal information about all Australians at the same point in time. Name-identified records would allow researchers to study the records of a particular person or group of people. Census records could be matched to other sorts of information about people. Longitudinal studies could be conducted using name-identified records from successive censuses.

## **Scope of the inquiry**

1.16 The term 'census forms' refers to household and personal forms, collectively, from the census. The inquiry did not address the retention of any other name-identified material from the census such as documents used for administrative purposes during the census.

1.17 Many submissions to the inquiry requested the retention of forms from the 1996 Census. This is not within the terms of reference of this inquiry, and the Committee notes that the destruction of forms from the 1996 Census, was not only governed by pre-existing policy but has in fact already commenced.

1.18 The Committee notes that the next census will be in the year 2001, consistent with the recent practice of holding censuses every five years.

1.19 The third term of reference addressed the research value of the forms released 'after a significant period of time'. During public hearings, the Committee frequently asked witnesses their views on a potential closed access period should future name-identified census information be retained. Various periods were suggested, ranging from immediately following processing, to over 100 years.

1.20 It is not the intention of this Committee that the content or conduct of the census should be materially changed purely as a result of any recommendation made to retain name-identified census information. The Committee is of the view that regardless of any recommendations from this inquiry on the retention or destruction of name-identified census information, the future practices need to reflect an appropriate balance between contemporary data needs and the needs of future researchers.

## **Outline of the report**

### **Structure**

1.21 The individual terms of reference focus on specific aspects of the retention of census forms and have been addressed in the report in the order suggested by the terms of reference.

1.22 The report commences with a brief introduction to some of the issues associated with the inquiry (Chapter 1). It then outlines the

current practice of destroying census forms and past decisions to destroy census forms (Chapter 2).

1.23 The report considers the effects retention would have on the quality, and hence the value, of data from future censuses and other ABS collections (Chapter 3).

1.24 Next, there is an examination of the privacy concerns relating to the storage and use of name-identified census data (Chapter 4).

1.25 Consideration is then given to the value of name-identified records for medical, social and genealogical research (Chapter 5).

1.26 The final issues examined are the costs of retention (Chapter 6). The Committee's conclusions and recommendations are drawn together in the final chapter (chapter 7).

## **Conclusions and recommendations**

1.27 The purpose of the inquiry was to look at, and to form appropriate judgements on, the current practice of destroying name-identified forms from population censuses.

1.28 The Committee was charged with assessing the residual value of the census forms for research purposes, over and above their primary statistical gathering function. The Committee considered whether such a value might be so great as to outweigh the concerns raised by ABS that retention would lead to a reduction in the quality of data from the census and from other ABS collections, the privacy and cost considerations and a number of practical issues associated with retention of the records.

1.29 In considering these factors, the Committee acknowledges the legitimacy of the points of view of each of the interest groups, and notes that to some extent the views of the various interest groups conflict.

1.30 The essential task before the Committee was to determine what is an appropriate balance between all the factors. It has not been possible to make discrete recommendations on any individual component of the inquiry in isolation. The Committee therefore reserved all recommendations until the concluding chapter of the report.

## **Options examined**

1.31 The following options were examined in some detail:

- continuation of the practice of destruction of census forms
- retention of future census forms on a mandatory basis with a minimum closed access period of 99 years
- retention of future census forms on an optional basis with a minimum closed access period of 99 years, and
- retention of forms from only the next census (presumed to be in the year 2001) on a mandatory basis, with a minimum closed access period of 99 years.

1.32 The Committee briefly considered three other options.

1.33 One option was for the retention of only basic demographic information from the census forms, not the rest of the information on the



forms.<sup>6</sup> Many people interested in genealogical studies advised the Committee that this would meet their needs. The Committee considered this would present a considerable administrative burden while only meeting a limited selection of research needs.

1.34 Another option was the removal of some of the more sensitive questions, such as income and religion, from the census to reduce public concerns about the privacy of personal information if census forms were retained.<sup>7</sup> The Committee considers that decisions on content of the census should continue to be made on the basis of the value of the data.

1.35 Another proposal considered by the Committee was advanced by academic researchers, including the Australian Institute of Health and Welfare (AIHW).<sup>8</sup> It was proposed that name-identified census information be retained securely within ABS for research starting immediately after each census.

1.36 ABS could match the records from the census against other sources of information of interest to researchers, such as birth and death records. Researchers would receive the unidentified aggregate results of the matching processes undertaken by ABS but would not have access to the actual name-identified census records.

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6 Name, household address, age, sex, marital status, relationship, birthplace, birthplace of parents, internal migration and occupation.

7 A similar recommendation was made to the Minister for Communications and the Arts by the Advisory Council on Australian Archives in May 1994. The Council recommended that questions on income and number of babies ever born be removed.

8 Australian Institute of Health and Welfare, *Submissions*, pp. S697–S705.