

I won't be giving my name to census: Xenophon

Written by Michelle Grattan, Professorial Fellow, University of Canberra

Senate crossbencher Nick Xenophon will defy the requirement to provide his name when he fills out Tuesday's census.

With controversy surrounding the extension of the retention of names from 18 months to four years, Xenophon wants to prompt a test case on the validity of the requirement.

He faces prosecution and a cumulative fine of A\$180 a day.

Xenophon said the Australian Bureau of Statistics (ABS) had failed to make a compelling case for people having to provide names and these to be stored for four years.

"And unlike any other census in this nation's history ... all names will be turned into a code that ultimately can be used to identify you," he said.

"It seems, rather than being a snapshot of the nation, the census will now morph into a mobile CCTV that follows every Australian."

He said there had been a woeful consultation process that wasn't just not transparent but some would say "verged on the disingenuous".

Xenophon noted former ABS head Bill McLennan – to whom he had spoken – had expressed concerns about the unnecessary intrusion into privacy.

The NSW privacy commissioner, Elizabeth Coombs, had highlighted risks and "also pointed out what I fear – that the mandatory requirement for providing your name, and the way it will be stored and used will be completely counter-productive" in that it would undermine the trust that millions of Australian have had in the census, Xenophon said.

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Coombs had warned people might lie on their form because they feared their data could be misused.

Xenophon said he would contest any notice he received to comply by providing his name “and by doing so it will in effect turn into a test case of the validity of this request”.

He would also try to get legal amendments so people who did not provide their name could not be prosecuted. He will seek the support of both Malcolm Turnbull and Bill Shorten as well crossbenchers for the change, which would need to be retrospective to census night.

UPDATE:

Greens senator Sarah Hanson-Young said she would not put her name or that of her daughter on the form.

Small Business Minister Michael McCormack portrayed the ruckus as “much ado about nothing”. He said the ABS had never had a breach of security in relation to census material.

He said that after the last census fewer than 100 people were fined, and they were those who had “deliberately flouted” the law.

McCormack pointed out that names and addresses had always been collected. Holding them for longer would help, for example, better track population flows and life expectancy – the latter was important for Closing the Gap targets.

McCormack said Xenophon had been briefed on the census earlier on Monday.

Michelle Grattan does not work for, consult, own shares in or receive funding from any company

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