

The Statistician does not decide who we are. We decide who we are.

Dear Commissioners,

I urge the learned data inquisitors to reflect on human dignity in collection and distribution of public statistics. To this end, I believe it is timely to tighten the reports recommendations in legal reform of an oft-forgotten, but vital area; The procedures used to classify, enumerate, and thereby construct the democratic identity of Australian citizens. Although the recommendation to adopt and implement data standards is generally admirable, it is missing the vital role of citizen participation.

The Australian Standard Classification of Religious Groups is an illustrative example. Several major religious groupings are ignored because, “*In practice, only those religious groups that have a significant number of affiliated persons in Australia are separately identified in the classification structure*”¹. This is a gross simplification in the name of social legibility. It comes at the cost of human dignity.

Inclusion subjects a group to the benefits and risks of social planning. Exclusion subjects a group to the benefits and risks of being overlooked by social planning. Their decision becomes a value judgement between competing claims of pluralism and integration. Human dignity demands that this decision is theirs to make. The ritual, not merely the result of counting social groups determines the place of social groups the political order².

These classification decisions are currently delegated to the Commonwealth Statistician, and practically to our public servants at the Australian Bureau of Statistics. To improve this process, the senate should recommend reform to the Australian Bureau of Statistics Act 1975 (Cth) and the Census and Statistics Act 1905 (Cth). The Statistician must apply culturally appropriate participatory decision making tools and adhere to their results in proposals for changes to statistical classifications. The role of the Statistician in a healthy democracy should be a facilitator of citizens, not an inquisitor of subjects.

The draft Australian Open Government Partnership National Action Plan just made the commitment that “Australia will build public trust around data sharing and release”³. I hold this inquiry to take decisive action on the commitments the government made since the release of this draft.

Sincerely,
Frederick Douglas Michna.

This submission is made in consideration of section 5. (a) of the terms of reference (*p. vii.*), and Draft Recommendation 6.1 (p. 30) of the Productivity Commission “Data Availability and Use” Draft Report October 2016 <http://www.pc.gov.au/inquiries/current/data-access/draft/data-access-draft.pdf> .

Footnotes:

1. Commonwealth of Australia, Australian Bureau of Statistics (2016) “Australian Standard Classification of Religious Groups”
[www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/1266.0Main+Features12016?](http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/1266.0Main+Features12016?OpenDocument)
[OpenDocument](#)
2. Tweedie, F “Numbering the Citizens” (2016)
<https://medium.com/@FCTweedie/numbering-the-citizens-211b7c2e939b#.fzoeeyj0>
3. Commonwealth of Australia, Department of the Prime Minister and Cabinet (Dec. 2016) “Australia’s First Open Government National Action Plan 2016-2018” p. 28.
<http://ogpau.pmc.gov.au/sites/default/files/posts/2016/12/open-government-national-action-plan1.pdf>.

DRAFT RECOMMENDATION 6.1

Government agencies should adopt and implement data management standards to support increased data availability and use as part of their implementation of the Australian Government’s Public Data Policy Statement.

These standards should:

- be published on agency websites
- be adopted in consultation with data users and draw on existing standards where feasible
- recognise sector-specific differences in data collection and use
- support the sharing of data across Australian governments and agencies
- enable all digitally collected data and metadata to be available in commonly used machine readable formats (that are relevant to the function or field in which the data was collected or will likely be most commonly used), including where relevant and authorised, for machine to machine interaction.

Policy documents outlining the standards and how they will be implemented should be available in draft form for consultation by the end of 2017, with standards implemented by the end of 2020.

Agencies that do not adopt agreed sector-specific standards would be noted as not fully implementing the Australian Government’s Public Data Policy and would be required to work under a nominated Accredited Release Authority (Draft Recommendation 9.6) to improve the quality of their data holdings.