



Maddocks

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Brenton Goldsworthy
Deputy Australian Statistician
Senior Responsible Officer for the 2026 Census
Australian Bureau of Statistics

Dear Brenton

Assurance Report by the Census Independent Privacy Adviser (CIPA) for 2026 Census

In December 2022, Maddocks was engaged by the Australian Bureau of Statistics (**ABS**) to undertake the role of the Census Independent Privacy Adviser (**CIPA**) for the 2026 Census.

The CIPA role was implemented into ABS Census governance structures following the 2016 Census. The role was designed to ensure that the ABS Census team has access to independent privacy expertise and can obtain independent privacy advice in relation to its design and implementation activities for each Census.

This Assurance Report is provided for the benefit of the ABS, to give it confidence about the robustness of the measures that it has taken in respect of its handling of personal information and other data in connection with the 2026 Census.

1. Findings

- 1.1 The ABS has demonstrated a willingness to proactively engage with us as the CIPA, and to carefully consider our privacy advice and guidance.
- 1.2 We have noted the ABS' appreciation of the critical importance of complying with its privacy obligations and privacy best practice, in order to meet the expectations of the Australian community. This is particularly important given the extent and volume of personal information that will be collected during the 2026 Census. The ABS has continually recognised that the success of data collection outcomes for the 2026 Census relies heavily upon the Australian community having trust that the ABS will appropriately handle and protect the personal information that they provide. Without this 'social licence', individuals in households across Australia are much less likely to properly participate in the 2026 Census, resulting in poorer data outcomes, and a consequential decrease in the benefits and outcomes for Australia that can flow from analysis of Census data.
- 1.3 The ABS has taken a 'privacy by design' approach to the 2026 Census. Privacy has been at the forefront of every stage of the planning, design and governance activities we have observed. We have provided advice and input into privacy plans as they have been developed, observed those plans being finalised and approved, and then seen outcomes as they have been implemented.

- 1.4 In accordance with those plans, the CIPA role has been well utilised across the 2026 Census Executive, Management, and Project team levels. During our participation in 2026 Census formal governance fora and other regular or ad-hoc meetings, ABS Census team members have actively requested our support and guidance on a wide range of privacy-related matters. During these meetings, we were also given the opportunity to raise and provide guidance about any privacy issues about which we were concerned (for example, to escalate any potential planning, design or other systemic issues; or discuss any new or emerging potential privacy risks). On all occasions, the ABS team appeared to take matters we raised very seriously and to actively formulate plans to manage those matters.
- 1.5 We have been involved in assisting the ABS to implement a 'Three-Phase' privacy impact assessment (**PIA**) process for the 2026 Census in accordance with the 2026 Census PIA Plan, with each Phase PIA being conducted by an independent privacy expert. We consider that the ABS has used these PIA processes as a genuine opportunity to engage with a range of stakeholders about community expectations, to test its current plans and privacy risk mitigation strategies (and any assumptions upon which they had been built), to obtain independent and considered advice about privacy risk, and to implement the recommendations from each Phase PIA in an ongoing way to inform and improve the design, implementation and other ongoing privacy work for the 2026 Census.
- 1.6 We also understand that the 2026 Census Privacy team has over the course of our engagement conducted a large volume of internal privacy threshold assessments (PTAs) and PIAs, and we have worked with that team as they raised particular privacy issues with us flowing from these activities.
- 1.7 We confirm that, based on our involvement to date (and the qualifications and assumptions in paragraph 3 below), we consider that the ABS is well placed to be able to demonstrate that it has, and will continue to, comply with the Australian Privacy Principles within the *Privacy Act 1988* (Cth) in connection with its handling of personal information for the 2026 Census, and to effectively manage any new or emerging privacy risks as they arise.

2. Completed work

- 2.1 Our findings above are based on the work we have undertaken as described at a high level in **Attachment 1** to this Assurance Report, during the period from the date of our engagement until the date of this Assurance Report.

3. Qualifications and Assumptions

- 3.1 We have not had any access to ABS ICT systems, and have not undertaken any investigation or exploration in connection with documents, data or other information that have been created or held by the ABS within those ICT systems. Similarly, we have not been present at all ABS governance or other meetings in which the 2026 Census was considered. We have not advised on matters that were not known to us or documents not provided to us.
- 3.2 In undertaking our work, we have relied upon the information and documentation provided to us by the ABS, and have assumed that any other factual matters as described to us by ABS personnel have been true, complete and accurate in all material respects. We have assumed that the ABS has followed privacy advice provided by us, or where it has not done so, it understands and accepts any associated privacy risk.
- 3.3 We have only provided privacy advice, and have not advised on any other types of risks or issues, including any arising in documentation provided to us. In particular, as the CIPA is a non-legal role, we have not provided legal advice in relation to the 2026 Census, including about legal risks or the proper interpretation of legislation such as the *Census and Statistics Act 1905* (Cth), the *Data Transparency and Accountability Act 2022* (Cth), or the *Privacy Act 1988* (Cth). When legal issues have arisen, we have when appropriate referred the relevant ABS Census team member(s) to the ABS Census privacy and/or the ABS general legal team.



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4. Concluding remarks

- 4.1 Maddocks would like to thank the ABS for the opportunity to contribute to the 2026 Census, and would like to particularly recognise and thank the ABS Census team for their willingness to engage with the CIPA and their openness to receive our advice and guidance on privacy matters.
- 4.2 We wish the ABS every success with the 2026 Census, and trust it will allow Australia to continue to obtain the nationally important benefits that can flow from the collection and analysis of Census data.

Yours sincerely

Katherine Armytage
Partner

Attachment 1 High level description of work undertaken as the CIPA

Date/Date range	Description of CIPA activity
January to August 2023	Review and provision of advice in relation to the 2026 Census PIA Plan; 2026 Census Data Protection Plan; 2026 Census Privacy Plan; Census Privacy Strategy 21-28 and Census Privacy and Data Protection Working Group Terms of Reference.
January 2023 to date	Regular meetings with Census Senior Executive Officer (SRO), during which a wide range of strategic and other privacy issues were discussed.
February 2023	Advice in relation to the 2026 Census Topic Consultation process, including Collection Notice.
March 2023	Review of 2021 Census Stories.
March 2023 to date	Regular meetings with the Census Privacy team, during which a wide range of privacy issues and practical risk mitigation strategies were discussed.
March 2023 to date	Regular meeting with 2026 Census General Manager (GM) and 2026 Census Program Manager(s) ¹ , during which a wide range of privacy planning, risks, issues and implementation strategies were discussed
March 2023 to December 2025	Participation as a member of the Census Privacy and Data Protection Working Group (including review of papers and active provision of privacy advice and guidance during meetings).
May to June 2023	Participation in the ABS' 2026 Census assurance ('gateway') review, during which a range of privacy and related topics, and the ABS' plans for managing those matters, were discussed with the gateway interviewing team.
June 2023	Review of, and advice in relation to, the Census Program Assurance Plan.
June to December 2023	Advice in relation to 2026 Census PIA Phase 1 (including in relation to scope of PIA; approach and methodology for PIA, including stakeholder consultation; analysis in PIA; draft recommendations and ABS response; and implementation of same).
December 2023	Advice in relation to privacy issues associated with the use of synthetic test data for the 2026 Census.
January 2024	Advice in relation to communications for the 2026 Census PIA.
April 2024	Advice in relation to implementation of Phase 1 PIA recommendations (development of a Risk Benefit Analysis Framework).
May to November 2024	Advice in relation to the 2026 Census Phase 2 PIA (including PIA scope, draft issues guidance and consultation papers; draft PIA report; and draft ABS responses to recommendations).
June 2024	Advice in relation to Census Test September 2024, including draft Collection Notice.
August 2024	Review and advice in relation to Census Decision Process (Data Sharing), and Privacy Risk Scan document prepared by ABS.

¹ In 2024 the PM role was split so that there were two PMs attending these regular meetings (subject to availability).

Date/Date range	Description of CIPA activity
March 2025 to date	Various advice in relation to use of administrative data in the ABS' data asset known as the Person-Level Integrated Data Asset (PLIDA) in connection with the 2026 Census.
March 2025	Advice and assistance in relation to ABS internal privacy assessment regarding recruitment process for the 2026 Census Field Temporary Workforce.
March 2025	Review of the 2026 Census Temporary Workforce Collection Notice.
May to November 2025	Advice in relation to 2026 Census PIA Phase 3 (including in relation to scope of PIA; approach and methodology for PIA, draft guidance issues paper; analysis in PIA report, including draft recommendations; ABS response to the recommendations; and implementation of same).
May 2025; May 2026	Interviews with ABS Privacy Officer for Privacy Awareness Week, to promote awareness of Census privacy activities throughout the ABS.
June 2025	Advice in relation to the 2021 Census PIA implementation report.
June – August 2025	Advice in relation to the 2026 Census Operational Readiness Exercise (ORE) Collection Notice.
August 2025	Advice on ABS Data Ethics Framework and application to 2026 Census projects.
August to September 2025	Advice in relation to the handling of personal information in connection with the management of refusals to complete the 2026 Census.
October 2025	Advice in relation to simplified Collection Notice for use by some 2026 Census field officers.
November 2025 to date	Assistance with planning for management of any data breaches arising in connection with the 2026 Census.
November 2025	Advice in relation to articles to be published about use of administrative data in connection with the 2026 Census.
February 2026	Advice in relation to particular media articles, and potential implications of the <i>Data Availability and Transparency Act 2022</i> (Cth).
February to April 2026	Advice in relation to the 2026 Census Collection Notice and Privacy Statement.
March 2026	Advice in relation to implementation of PIA recommendations (all Phases).
March 2026	Advice in relation to Data Ethics Assessment for use of administrative data.
April to May 2026	Advice in relation to cyber security preparedness for the 2026 Census.
April 2026 to date	Advice and guidance in relation to planning for privacy assurance for the 2031 Census and beyond.