



HOUSE OF COMMONS

LONDON SW1A 0AA

Sir Michael Scholar KCB

UK Statistics Authority
Statistics House
Islington
London
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29 October 2009

Dear Sir Michael,

2011 CENSUS

Thank you for your letter of 27 October and I would like to take the opportunity to reply to some of the points you raised.

Your letter highlighted that the role of the UK Statistics Authority in preparing for the Census. Notwithstanding, I would note that the draft Orders were published with a Written Ministerial Statement, in which Government Ministers gave their support for the exercise (*Hansard*, 21 October 2009, col. 57WS).

Section 2 of the Census Act 1920, as amended by Schedule 1 of the Statistics and Registration Service Act 2007, makes clear that: "the Statistics Board in the exercise of its powers and in the performance of its [Census] duties under this Act or under any Order in Council or regulations made thereunder *shall be subject to the control of, and comply with any directions given by, the Minister for the Cabinet Office*" (emphasis added). Clearly Ministers must take responsibility for this Census and should be held to account for the content of the draft Orders which specify the questions. It is for Parliament to decide the final wording of the 2011 Census, and thus, it is entirely appropriate for Her Majesty's Opposition to scrutinise and question the activities of the Government.

I am sure that Government statisticians and social scientists will find of use the new questions about the number of bedrooms and the personal details of overnight guests. But the existence of a power to pry personal information from citizens does not mean it should necessarily be used, especially in the context of growing concerns about the database state. Elected representatives have a duty to protect the privacy and liberty of law-abiding citizens, especially given citizens will be interviewed under Police and Criminal Evidence Act caution and face £1,000 fines for not answering the questions.

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I note that a Privacy Impact Assessment has not yet been published on the Census website (if it has, it is not easily accessible), despite the pledge to produce one before the secondary legislation was laid (Cabinet Office, *Census 2011 – Helping to shape tomorrow*, CM 7513, December 2008, para 6.22). I would be grateful if this could now be published.

Despite the best of intentions behind the exercise, I believe these questions are not proportionate, and the cumulative effect is to make the Census too intrusive and invasive. This will undermine public support, which in turn will harm the response rate and the accuracy of responses when people wade through the 32 page household form.

This is particularly important given the Government's admission that "non-response or under-enumeration is the most significant error" (*ibid.*, p.9) and the fact that the last Census missed off one million people – up to one in five residents in Inner London boroughs, with significant consequences for local government funding (Public Accounts committee, *The Office for National Statistics: Outsourcing the 2001 Census*, HC 543, 17 March 2003).

Even if the public are pressured into filling out an intrusive Census to avoid £1,000 fines, there will be an increased risk of frivolous replies. The 2001 Census revealed that the Jedi faith is the fourth largest religion in the country – a movement that will only grow if the public believe that Government Ministers have turned to the dark side. Unlike in 2001, we live in an internet age where new media is increasingly used to mobilise campaigns. I am concerned that there has not been proper consideration of how public disquiet at this Census could result in an organised and effective grassroots e-campaign to spoil or frustrate particular Census questions.

I note that the 2011 Census is to cost £482 million of taxpayers' money (*Hansard*, 15 May 2009, col. 1047W), despite criticism of the cost of the 2001 Census by the Treasury Select Committee (*The 2001 Census in England and Wales*, HC 310, March 2002). As you know, the country faces an unprecedented debt crisis which means that every part of the state needs to be looking at doing more for less. We know the Government is already planning overall cuts of at least 10 per cent in departmental budgets in the coming spending round, and in some departments is looking for much more than this.

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Given the ruinous state of the public finances, we do not believe that the 2011 Census can have the size and scope that has been proposed, particularly since we believe that many of the proposed questions are unsuitable. So we will not be able to support the proposed Census in its current form, and would urge you to make plans to scale back its cost and scope in order to save money and reduce its intrusive impact on citizens.

I am placing this letter in the public domain.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Hurd'.

Nick Hurd MP

Shadow Minister for the Cabinet Office

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