



**Australian
Privacy
Foundation**

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<http://www.privacy.org.au/About/Contacts.html>

April 27 2009

The Secretary
Senate Community Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

**Re: Enquiry into National Registration and Accreditation Scheme for Doctors
and Other Health Workers**

The Australian Privacy Foundation (APF) is the country's leading privacy advocacy organisation. A brief backgrounder is attached.

The APF generally supports the establishment of a National Registration and Accreditation Scheme for the health professions. Nonetheless, the proposed Scheme fosters some concern for the safety and privacy of individuals listed on the register. The key APF concerns are listed in a previous submission to Health Workforce Australia on this matter. A copy of the submission is attached to this paper for information.

To summarise the submission

1. Proposal 3.2

(I) We ask the committee to consider our discomfort about the duplication of existing registration services.

(II) We also ask the committee to consider APF concerns that the register may harm privacy interests protected by NPP1.

2. Proposal 3.2.1

The APF believes that the second option is adequate and so requests the committee to minimise data collection where it is not essential.

.3. Proposal 3.3.1, proposal 3.3.2 and proposal 7.4

The APF requests the committee to decide whether these proposals duplicate existing UIs, hamper the quality of stored data and create a "honey pot", underpinned by Australian privacy laws with weak enforcement capability.

4. Proposal 3.8.1 and 3.8.3

The APF requests the committee to ensure the wording of these proposals are tightened so as to preclude function creep.

5. Proposal 4.1 & Proposal 4.2.1

The APF supports Option 2, **Proposal 4.2.1**. De-registered practitioners should be removed from the public register.

6. Proposal 4.1 and 4.3.1

The APF supports **Proposal 4.3.1**, the publication of conditions on practice where relevant

7. Proposal 4.6 and 4.6.2

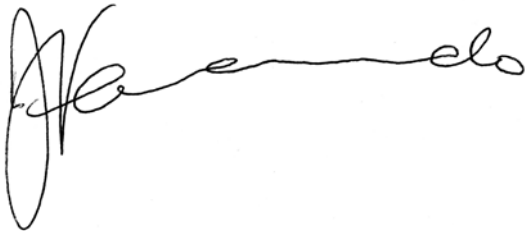
The APF asks the committee to clearly define what constitutes matters of "public interest" to ensure that **Proposal 4.6** is effective. If Option 2, **Proposal 4.6.2**, is adopted, then we ask the committee to devise a transparent and public process to ensure that confidentiality clauses are just and transparent.

8. Public access to timely information

The APF requests the committee to consider whether the register will encourage the public to rely on it, either in hard copy or on the web, thus leaving them vulnerable to the risk of consulting a deregistered clinician or one where conditions of practice have been imposed by boards.

We are happy to reply to questions or clarify any point made herein. Thank you for your consideration of our submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Juanita Fernando', written in a cursive style.

Chair, Health Sub Committee
Australian Privacy Foundation
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Australian Privacy Foundation

Background Information

The Australian Privacy Foundation (APF) is the primary national association dedicated to protecting the privacy rights of Australians. The Foundation aims to focus public attention on emerging issues that pose a threat to the freedom and privacy of Australians. The Foundation has led the fight to defend the right of individuals to control their personal information and to be free of excessive intrusions.

The APF's primary activity is analysis of the privacy impact of systems and proposals for new systems. It makes frequent submissions to parliamentary committees and government agencies. It publishes information on privacy laws and privacy issues. It provides continual background briefings to the media on privacy-related matters.

Where possible, the APF cooperates with and supports privacy oversight agencies, but it is entirely independent of the agencies that administer privacy legislation, and regrettably often finds it necessary to be critical of their performance.

When necessary, the APF conducts campaigns for or against specific proposals. It works with civil liberties councils, consumer organisations, professional associations and other community groups as appropriate to the circumstances. The Privacy Foundation is also an active participant in Privacy International, the world-wide privacy protection network.

The APF's Board comprises professionals who bring to their work deep experience in privacy, information technology and the law.

The following pages provide access to information about the APF:

- papers and submissions <http://www.privacy.org.au/Papers/>
- resources <http://www.privacy.org.au/Resources/>
- media <http://www.privacy.org.au/Media/>
- Board-members <http://www.privacy.org.au/About/Contacts.html>

The following pages outline several campaigns:

- the Australia Card (1985-87)
<http://www.privacy.org.au/About/Formation.html>
- the Medicare Smart Card (2004-06)
http://www.privacy.org.au/Campaigns/ID_cards/MedicareSmartcard.html
- the Human Services Card (2005-06)
http://www.privacy.org.au/Campaigns/ID_cards/HSCard.html
- the Australia Card Mark II (2005-06)
http://www.privacy.org.au/Campaigns/ID_cards/NatIDScheme.html
- the 'Access Card' (2006-07)
http://www.privacy.org.au/Campaigns/ID_cards/HSAC.html