



**Australian Privacy
Foundation**

<https://www.privacy.org.au>

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<https://privacy.org.au/about/contacts/>

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Dr. Steven Hodgkinson
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Victorian Department of Health, &
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Dear Dr. Hodgkinson

Re: Victorian Government Clinical Information Portal plan

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

I refer to several articles and the Victorian Healthcare Association submission to the Sharing Health Information Reform Legislation Discussion Paper, essentially stating that the Victorian Department of Health and Human Services (DHHS) plans to implement a Clinical Information System (CIS) Portal in 2021.¹⁻⁴ The data collected and linked by the portal will share with end-users each patients' current and historical medical and health information, including information collected from both public and private sector health authorities, as well as mental and ambulance services; evidently a complete record of every Victorian person's sensitive and private information. **People will apparently have no ability consent to or opt-out of the process.**

APF concerns are exacerbated by the recent DHHS CRISSP database breach caused by poor security and privacy mechanisms and contravention of the Victorian Information Privacy Principles, resulting in harm to some victims.⁵⁻⁶

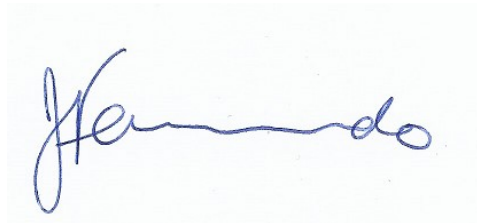
APF concerns foster the issues and questions listed below.

1. Please update the APF as to the current implementation status of the CIS Portal.
2. How does the Department intend to advise the Victorian community of the Plan (if it has progressed since December 2020)?
3. What actions have you or your office taken to ensure ongoing compliance with Victorian IPPs?

The growing need for transparent, robust privacy and security mechanisms to be implemented across the State, given the rapid pace of technological privacy threats, is urgent if the community is to trust digital health implementations into the future.

I look forward to your reply, and would be happy to help with developing responses to these issues.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Fernando', is centered on a light blue background.

Dr. Juanita Fernando
Chair, Health Committee, APF
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REFERENCES

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2. Sarre, J. Victorian government must ensure its proposed healthcare database has iron-clad security and privacy. *The Conversation*, December 7 2020. Available from <https://theconversation.com/victorian-government-must-ensure-its-proposed-healthcare-database-has-iron-clad-security-and-privacy-151554>
3. Sadler, D. Vict govt health database plan is a problem, *Innovation Aus*, 8 December 2020. Available from <https://www.innovationaus.com/vic-govt-health-database-plan-is-a-problem/#:~:text=The%20Victorian%20government%20is%20yet,disturbing%E2%80%9D%20by%20digital%20rights%20advocates>.
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5. Taylor, J. & Curnow, S. Victoria's child protection department misled watchdogs after sex offender Alex Jones CRISP data breach, *ABC News*, June 8 2021. Available from <https://www.abc.net.au/news/2021-06-08/victorian-department-in-watchdogs-sights-over-handling-of-breach/100186524>
6. Hendry, J. Ex-contractor accessed Vic govt IT system 260 times a year after leaving *itNews*, March 12 2021. Available from <https://www.itnews.com.au/news/ex-contractor-accessed-vic-govt-it-system-260-times-a-year-after-leaving-562038>

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 is open to membership by individuals and organisations who support the APF's Objects. Funding that is provided by members and donors is used to run the Foundation and to support its activities including research, campaigns and awards events.

The APF does not claim any right to formally represent the public as a whole, nor to formally represent any particular population segment, and it accordingly makes no public declarations about its membership-base. The APF's contributions to policy are based on the expertise of the members of its Board, Committees and Reference Groups, and its impact reflects the quality of the evidence, analysis and arguments that its contributions contain.

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

The Board is supported by Patrons The Hon Michael Kirby AC CMG and The Hon Elizabeth Evatt AC, and an Advisory Panel of eminent citizens, including former judges, former Ministers of the Crown, and a former Prime Minister.

The following pages provide access to information about the APF:

- Policies <https://privacy.org.au/publications/by-date/>
- Media <https://privacy.org.au/home/updates/>
- Current Board Members <https://privacy.org.au/about/contacts/>
- Patron and Advisory Panel <https://privacy.org.au/about/contacts/advisorypanel>

The following pages provide outlines of some of the campaigns that the APF has conducted:

- The Australia Card (1985-87) <https://privacy.org.au/About/Formation.html>
- Credit Reporting (1988-90) <https://privacy.org.au/campaigns/consumer-credit-reporting/>
- The Census (2006) <https://privacy.org.au/campaigns/census2006/>
- The Access Card (2006-07) <https://privacy.org.au/campaigns/id-cards/hsac/>
- The Media (2007-) <https://privacy.org.au/campaigns/privacy-media/>
- The MyHR (2012-) <https://privacy.org.au/campaigns/myhr/>
- The Census (2016) <https://privacy.org.au/campaigns/census2016/>