

Mr Peter Harris
Chair
Australian Government Productivity Commission
GPO Box 1428
Canberra City ACT 2601

Dear Mr Harris

RE: PRODUCTIVITY COMMISSION, DATA AVAILABILITY AND USE - DRAFT REPORT

Thank you for the opportunity to respond to the draft findings of this Productivity Commission report. The SA NT DataLink Steering Committee supports in-principle the draft findings and offers the following general comments concerning these.

- The draft findings are largely in line with the SA NT DataLink submission to the Productivity Commission into Data Availability and Use.
- The recommendations, particularly on governance are broad and ambitious, but we support them nevertheless in-principle supported. The main risks arise out of the scope of the proposed Commonwealth legislation and proposed bodies to address the wide range of issues. In order to be successful, a high level of State and Territory support will be required, perhaps including a willingness on the part of these jurisdictions to cede some powers to the Commonwealth and/or provide identifying data to a national body, possibly as part of their national reporting requirements.
- The OAIC will need to have the technical and resource capacity to undertake the proposed certification of agencies regarding their de-identification practices and to monitor/audit this certification. Given the known technical issues relating to de-identification/re-identification, agreement will need to be reached about the criteria for certification, including garnering public confidence in the process. Consultations with the bodies such as SA NT DataLink (and other members of the Population Health Research Network) that have the technical competence and considerable experience in this area will be necessary.
- There is an inherent tension that is not well recognised in the draft findings between protection of privacy for consumers (including the rights of access to their data), and the desire to make greater (linked data) information available, particularly if for commercial purposes (as against a public good purpose). This should require further development in consultation with consumers.

There is an implied assumption that consumers will be comfortable about providing greater access and availability of their data within the proposed privacy frameworks. This should be more thoroughly tested. As part of this, there should be a better differentiation of risks relating to making data available from one or two datasets as compared with the linking of information using multiple datasets in a longitudinal framework, where the risk of re-identification increase significantly. The significance of different attitudes and requirements between data collected by

government agencies and private for-profit companies should also be further examined with a view to informing any legislation or policies.

- There do not appear to any specific findings regarding cybersecurity. This should be a major concern as more data is collected and stored. There needs to be significant consideration about how best to establish a nationally resilient cyber data infrastructure that can be implemented by the entities which will have access to, provide and/or store the data. Again, consultations with those organisations across the government, non-government and private sectors with considerable experience and specific requirements in their different areas of data access, storage and provision is required. Ongoing Government resourcing for such a structure to ensure its capacity to addressing developing issues as they arise is essential.

Thank you once more for the opportunity to respond to the draft findings and SA NT DataLink looks forward to the final report and recommendation of the Productivity Commission.




Professor James Harrison
Chair
SA NT DataLink

13/12/2016
