



WA State Office

Telephone [number withheld]

Email: [email withheld]

28 October 2019

The Department of Premier and Cabinet

Email: privacy@dpc.wa.gov.au

Re: Privacy and Responsible Information Sharing Discussion Paper

Thank you for the opportunity to provide comment on the consultation paper. As the leading advocate for surgical standards, professionalism and surgical education in Australia and New Zealand, the Royal Australasian College of Surgeons (RACS) is committed to taking informed and principled positions on issues of public health

The RACS WA State Committee has a longstanding position in advocating for strengthened data sharing arrangements. The availability and access to high quality data is an integral component of medical research and can lead to significantly improved outcomes for the community. At present a considerable amount of data is already collected in Western Australia, however, not all of it is shared with the right people. We have previously highlighted our concerns with the current system with the Premier and the Health Minister (see attached letter).

If implemented properly and with the appropriate safeguards we believe the new framework has the potential to lead to significantly improved health and research outcomes at a state and national level. Therefore, on behalf of the Committee I would like to extend our support for the development of overarching data legislation as outlined in the discussion paper.

The College would be happy to review and provide further comment on any draft legislation once it is available.

Yours sincerely,

Dr Mary Theophilus

WA Chair

Royal Australasian College of Surgeons



WA State Office

Telephone [number withheld]

Email: [email withheld]

12 December 2018

Hon. Mark McGowan MLA
Premier of Western Australia
5th Floor, 2 Havelock St
West Perth WA 6005

Dear Premier,

Re: Data Sharing Legislation

In 2017, the Productivity Commission released a report in to [data availability and use in Australia](#). One of the findings of the report was that a lack of uniformity in state and territory privacy legislation has historically impeded public sector data sharing across Australian jurisdictions.

In response to this report, your Department published a service review background paper in to [privacy and information sharing](#). While the paper recognises that Western Australia has previously been regarded as a national leader in health data linkage, it also states that in relation to privacy and data sharing:

Western Australia is significantly out of step with other jurisdictions. A lack of comprehensive privacy or data sharing legislation and a patchwork of specific requirements within particular statutory schemes cause a reliance on the common law. The result is that legal rules for data use are the most restrictive in Australia and government agencies are in a difficult position when asked how they can lawfully and fairly share the information they hold.

The Western Australian state committee of the Royal Australasian College of Surgeons (RACS) is pleased that since the release of the Productivity Commission's report, both the Australian and Western Australian Governments have taken steps to strengthen data sharing arrangements.

As surgeons we see first-hand the benefits that can be achieved through greater access to data. As an example, the Western Australian Audit of Surgical Mortality (WAASM), which is managed by RACS and funded by the Western Australian Government, has resulted in significant improvements to surgical practice and ultimately better outcomes for patients since its inception. WAASM was the first audit program of its kind in Australia or New Zealand, and now similar programs run across all Australian jurisdictions and New Zealand.

We encourage you to continue engaging constructively with other Australian Governments, and to work towards cohesive legislative reform. It is our firm belief that development of such legislation will lead to a much stronger evidence base that will significantly enhance the quality of research and public policy outcomes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Rodrigues'.

Stephen Rodrigues

WA Chair, Royal Australasian College of Surgeons