

27 August 2018

Committee Secretary
Senate Standing Committees on Community Affairs
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Parliament House
Canberra ACT 2600
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creating a better life
for children and young
people in care

RE: SUBMISSION TO SENATE INQUIRY: MY HEALTH RECORD SYSTEM

CREATE Foundation welcomes the opportunity to provide a submission to the Senate Community Affairs References Committee. CREATE acts as key advocate for the more than 48 000 children and young people with an out-of-home care experience and draws the attention to the need for individual and systemic responses to improve their life outcomes.

CREATE's mission is to create a better life for children and young people in care. To do this we:

- **Connect** children and young people to each other, CREATE and their community to
- **Empower** children and young people to build self-confidence, self-esteem, and skills that enable them to have a voice and be heard to
- **Change** the care system, in consultation with children and young people, through advocacy to improve policies, practices and services, and increase community awareness.

CREATE makes this submission with particular reference to *c) privacy and security and e) measures that are necessary to address community privacy concerns in the My Health Record system*, and how this pertains to children and young people in out-of-home care. CREATE Foundation holds considerable concern regarding the significant and unique risks that may be posed to children and young people in the care of a Child Protection department with regards the potential risk in violation of their privacy and confidentiality through the use of a My Health Record.

Our concerns regarding the impact of potential breaches in privacy and confidentiality are as follows:

1. The potential for a child under the care and protection of a state department to be locatable to a parent from whom they are removed, through parental access to their My Health Record;
2. The potential for a young person of the age of 14 years (who is able to access their own health records) to approve access to their medical record by a parent or other family member from whom they've been removed for their own safety and wellbeing;
3. The access by foster carers or other associated organisations to young people's medical records and the potential for prejudiced treatment whilst in care based upon their medical history in addition to potential breaches in confidentiality; and
4. The potential for federal legislation running counter to state protection legislation regarding information sharing and confidentiality and the urgent need for clarification of legislative governance of My Health Record.

As the peak body for children and young people with an out of home care experience, I hold significant concerns regarding the privacy and confidentiality of My Health Record and the potential impact on children and young people in care.

Yours sincerely,

Jacqui Reed
Chief Executive Officer
CREATE Foundation

national queensland office

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