

# MEDIA RELEASE



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## The LIV, Liberty Victoria and Digital Rights Watch reiterate calls for MPs to respect patient autonomy in Health Sharing Bill

The LIV, Liberty Victoria and Digital Rights Watch call on members of the Legislative Council to respect patient autonomy to legislate for an opt-out provision to ensure that Victorians have the right to decide whether or not their medical information will be shared across public health services.

The *Health Legislation Amendment (Information Sharing) Bill 2023* is currently before the Legislative Council.

This Bill is intended to provide a new electronic system of sharing patient health information across public health services. The aim of this Bill is to improve efficiency of medical care provided to Victorians, but this must not come at the cost of patient autonomy.

The Law Institute of Victoria, Liberty Victoria and Digital Rights Watch have previously raised concerns about the Bill.

The Bill is a critical piece of legislation and we implore members of the Legislative Council to consider this carefully and require an opt-out.

LIV President Tania Wolff said, “All Victorians should be concerned about the failure to include an opt-out provision in the Bill. This signals a departure from a human-rights and patient-orientated framework which is well established in other Victorian legislation.

“In its current form, the Bill fails to strike an appropriate balance between clinical efficiency and safeguarding patient rights. That leaves the risk that individuals will disengage from health services or not seek medical treatment because they are afraid that their information will be shared, their safety will be potentially compromised, or an unlimited number of unknown people will have access to their personal medical information.”

Michael Stanton, President of Liberty Victoria, said, “We call on members of the Legislative Council to respect and uphold the right to privacy and patient autonomy. In its current form, the Bill unjustifiably erodes privacy rights and contains insufficient safeguards for access to health information. If a person does not feel that they have control over their private health data, they may be unwilling to disclose vital information, and this could have tragic consequences.”

Lizzie O’Shea, Chair of Digital Rights Watch, said, “Victoria has historically been a leader federally in respect of human rights, including privacy. To allow the proposed system to be implemented would represent a grave departure from this tradition. We urge members of parliament to consider proposing significant amendments or opposing the bill entirely.”

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