

Terms of Reference

In 1976 the Commission was asked to advise upon:

- (1) the extent to which undue intrusions into or interferences with privacy arise or are capable of arising under the laws of Western Australia, and the extent to which procedures adopted to give effect to those laws give rise or permit such intrusions or interferences, with particular reference to but not confined to the following matters:
 - (a) the collection, recording or storage of information by state departments, authorities or corporations, or by persons or corporations licensed under those laws for purposes related to the collection, recording, storage or communication of information;
 - (b) the communication of the information referred to above to any government department, or to any authority, corporation or person;
 - (c)

To supplement the exercise undertaken by the ALRC, and to minimise duplication of effort, the Commission produced a working paper examining the exercise of statutory powers of intrusion by state officials. The working paper led to preparatory work towards a draft report, but this was never completed.

The ALRC reference resulted in a privacy report.¹ Although this report ultimately led to legislation,² the continual changes to the Commonwealth proposals and the need to concentrate the Commission's resources on projects with higher priority led to work on the reference being deferred.

Reference Withdrawn

The reference was deferred in 1986, with the Commission and the Attorney-General agreeing to identify specific areas affecting privacy for individual examination. The reports on *Confidentiality of Medical Records and Medical Research*³ and *Professional Privilege for Confidential Communications*,⁴ certain aspects of the report on *Police Act Offences*,⁵ and the earlier working paper on *Privacy and Statutory Powers of Intrusion*⁶ all dealt with aspects of the terms of reference of the privacy project. The reference was formally withdrawn in 1993.

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