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Senator Joe Ludwig  
The Minister for Human Services

Dear Senator Ludwig

The Australian Privacy Foundation (APF) was an active participant in the public debates about the previous Government's Access Card project. We congratulate you on your prompt and unequivocal cancellation of that project.

The APF would be pleased to support a smartcard-based scheme that has the features outlined in [http://www.privacy.org.au/Campaigns/ID\\_cards/HSAC-FAQ11.html](http://www.privacy.org.au/Campaigns/ID_cards/HSAC-FAQ11.html). The APF looks forward to constructive discussions with your team as it progressively develops, publishes, consults on, and revises its proposals.

On the other hand, we note with disappointment your statement to the Senate on 13 March 2008, to the effect that the Rudd Government will be honouring the 30-year convention in relation to the pivotal KPMG document, even though the reason for declaring it to be an appendix to a Cabinet Submission was to suppress the information in it. We understand this to be not a legal constraint, but a decision of the Cabinet: <http://www.cabinetrecords.dpc.wa.gov.au/index.cfm>.

A range of other documents were paid for from tax-payers' funds, finalised, but never released to the public. Among them was the Privacy Impact Assessment (PIA) prepared by Clayton Utz, and related advice from Pacific Privacy. Minister Hockey initially agreed to release the Clayton Utz PIA (on 9 May 2006), before renegeing (on 24 May 2006). Other relevant documents include the final business case, the high-level description of the design, subsequent privacy analyses, and presumably other documents that were provided to tenderers. It does not appear that these documents are subject to Cabinet-document protection.

Given the likelihood of a new card scheme being developed, access to all of the documents that the previous Government suppressed, or partially suppressed, is in the public interest. We accordingly request that you arrange for as much as possible of all of these documents to be made available.

Thank you for your consideration, and we look forward to constructive engagement on this matter.

Yours sincerely

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