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Records access bill to get rewrite

TRACY WATKINS

THE Government has backed down in the face of a public outcry over rules restricting access to public records — but critics say the changes have not gone far enough.

The Government had proposed clamping down on public access to births, deaths, marriages and relationship registration records, arguing that it was necessary to prevent identity fraud.

But opposition from minor parties the Greens, the Maori Party, UnitedFuture and ACT, and groups including genealogists, the Salvation Army and the media has forced it to do a U-turn.

Internal Affairs Minister Rick Barker said yesterday that the Government would seek to rewrite the legislation to allow continued public access by anyone with adequate identification.

A public register would also be established so people could check who had accessed their records. But people would also have the right to request that their records not be disclosed to the public.

Commonwealth Press Union chairman Tim Pankhurst congratulated the Government yesterday for "largely seeing sense" but criticised the opt-out provisions as illogical.

"The Births, Deaths, Marriages and Relationships Registration Amendment Bill, as originally proposed, was a clear attack on freedom of information," said Mr Pankhurst, who is *The Dominion Post's* editor.

"These are matters of public record and should remain so ...

We have no problem with applicants having to present identification and people being able to know who had accessed their records."

But allowing people to request that their records not be disclosed defeated the intent of the amendment, Mr Pankhurst said. "Mr Barker has got it half right. He now needs to go the whole way."

Green MP Keith Locke said the Government U-turn was a major victory for freedom of information.

The original bill had horrified genealogists, historians and journalists because it shut off public access to records which had been publicly available since 1848, Mr Locke said. But he was concerned about the opt-out provisions and believed they should be qualified with a public interest criteria.



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"In the original bill, for example, if a person publicly mentioned their age they could then not prevent others from checking their birth date on the register," Mr Locke said.

Peter Nash, executive officer of the Society of Genealogists, was dubious about Mr Barker's changes. "A basic human right of any human being is to find out who the hell they are.

"From our point of view, a genealogist or family historian is somebody who wants to find out about their own background, their own lineage. I don't think a person has a right to opt out of a system that lets a descendant of theirs know where they come from. That's a nonsense."

Mr Barker said a public interest test in cases where people opted out could be included in the final bill.