



Australian Government

Department of Health

Department Reference: FOI 2366



NOTICE OF DECISION UNDER SECTION 24A OF THE FREEDOM OF INFORMATION ACT 1982

I refer to your request of 28 April 2021 to the Department of Health (the department), seeking access under the *Freedom of Information Act 1982* (Cth) (the Act) to the following:

- 1) *Please provide the scientific evidence/research papers the Australian Government holds showing, without a shadow of a doubt, that the virus SARS-CoV-2 has been isolated/purified?*
- 2) *If you can provide the scientific evidence/research papers for 1) above, please confirm if the Australian Government holds a sample of the virus (SARS-CoV-2)? Please provide documentation to prove this.*
- 3) *Is there an electron micrograph of the pure and fully characterised virus (SARS CoV-2) held by the Australian Government? If so, please provide this.*
- 4) *Please provide the primary specialist peer reviewed paper which provides unequivocal proof that the SARS-CoV-2 virus is the sole cause of the disease, Covid-19?*

FOI decision

I am authorised under subsection 23(1) of the Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision in response to your request.

Appropriate steps have been taken to find the documents referred to in your request including consultation with relevant departmental officers.

I am satisfied, on the basis of the consultation undertaken, that the department does not hold any documents referred to in your request.

As a consequence, relying on section 24A of the Act, I cannot provide access to the documents you requested.

FOI review rights

If you are dissatisfied with my decision, you may apply for a review.

Internal review

Under section 54 of the Act, you may apply for internal review of this decision.

In accordance with section 54B of the Act, an application for internal review must be made in writing within 30 days after the day you are notified of this decision (or such further period as the department allows). To assist in the internal review process, please provide reasons as to why you consider the review of my decision is necessary.

The internal review will be carried out by another officer of this department within 30 days of receipt of your application.

An application for an internal review should be addressed to:

Email: FOI@health.gov.au
Mail: FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner review

Alternatively, under section 54L of the Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner.

In accordance with subsection 54S(1) of the Act, an IC review application in relation to a decision covered by subsection 54L(2) (access refusal decisions) must be made in writing within 60 days after the day you are notified of this decision (if you do not request an internal review).

More information about Information Commissioner review is available on the OAIC website at: <https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:

Email: enquiries@oaic.gov.au
Phone: 1300 363 992

Complaints

If you are dissatisfied with actions taken by the department, you may also make a complaint.

Complaint to the department

Complaints to the department are covered by the department's privacy policy. A form for lodging a complaint directly to the department is available on the department's website: <https://www.health.gov.au/about-us/contact-us/complaints>.

Complaint to the Information Commissioner

Information about making a complaint to the Information Commissioner about action taken by the department is available on the OAIC website: <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>.

Relevant provisions of the Act

The Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website: <https://www.legislation.gov.au/Details/C2020C00366>.

Additional information

While the department does not hold the documents you have requested, I can provide the following information outside the Act, which I trust will be of assistance to you.

In Australia, SARS-CoV-2 was first isolated at the Victorian Infectious Diseases Reference Laboratory (VIDRL) at the Peter Doherty Institute for Infection and Immunity, the first laboratory outside of China to do so. VIDRL shared the isolated virus with other Australian laboratories, the World Health Organisation and other countries, to enable the development, validation and verification of diagnostic tests for COVID-19. Isolating the virus requires collection of a respiratory specimen from a person and culturing (growing) any viruses that are present in that sample in a specialist microbiology laboratory with the appropriate level of physical containment.

All testing methodologies used in Australia have been comprehensively validated, and continue to be closely monitored by the Therapeutic Goods Administration (TGA) and through mandatory participation in quality assurance program modules that have been developed specifically for SARS-CoV-2. Validation is a process by which a panel of samples with both positive and negative SARS-CoV-2 controls are tested on a platform to see whether it can accurately detect all positive specimens.

Below are links to publicly available information that may also be of interest to you:

- Medical Journal of Australia article: Isolation and rapid sharing of the 2019 novel coronavirus (SARS-CoV-2) from the first patient diagnosed with COVID-19 in Australia, available at:
<https://onlinelibrary.wiley.com/doi/full/10.5694/mja2.50569>.
- Public Health Laboratory Network guidance on laboratory testing for SARS-CoV-2 (the virus that causes COVID-19):
<https://www.health.gov.au/resources/publications/phln-guidance-on-laboratory-testing-for-sars-cov-2-the-virus-that-causes-covid-19>.

Contacts

If you require clarification of any of the matters discussed in this letter, please contact the department's Freedom of Information Unit on (02) 6289 1666 or at FOI@health.gov.au.

Yours sincerely



Ms Rhonda Owen
Assistant Secretary
NIR Health Emergency Management Branch

24 May 2021