



# Department of Health & Social Care

Freedom of Information Team  
Department of Health and Social Care  
39 Victoria Street  
London SW1H 0EU

[www.gov.uk/dhsc](http://www.gov.uk/dhsc)

[REDACTED]

4 September 2020

Dear [REDACTED]

## **Freedom of Information Request Reference FOI-1247803**

Thank you for your request dated 9 August, in which you asked the Department of Health and Social Care (DHSC):

*"All records in the possession, custody or control of The Department of Health and Social Care describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; lung cells from a lung cancer patient)."*

*Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers instead to:*

- \* the culturing of something,*
- \* or the performance of an amplification test (i.e. a PCR test),*
- \* or the sequencing of something.*

*Please also note that my request is not limited to records that were authored by the The Department of Health and Social Care or that pertain to work done by The Department of Health and Social Care. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Department of Health and Social Care has downloaded or printed.*

*If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it).*

*Format:*

*Pdf documents sent to me via email; I do not wish for anything to be shipped to me."*

Your request has been handled under the Freedom of Information Act (FOIA).

DHSC does not hold the information you have requested.

You may wish to direct your request to Public Health England (PHE) and the Government Office for Science (Go-Science). FOI requests can be submitted to PHE at [FOI@phe.gov.uk](mailto:FOI@phe.gov.uk), and to Go-Science at [contact@go-science.gov.uk](mailto:contact@go-science.gov.uk).

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to [FreedomOfInformation@dhsc.gov.uk](mailto:FreedomOfInformation@dhsc.gov.uk), or to the address at the top of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Lauren Der  
Freedom of Information Officer  
[FreedomOfInformation@dhsc.gov.uk](mailto:FreedomOfInformation@dhsc.gov.uk)



**Australian Government**

**Department of Health**

Department Reference: FOI 1937



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

I refer to your request of 11 August 2020 to the Department of Health (department) seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to the following documents:

*"All records in the possession, custody or control of The Department of Health describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; lung cells from a lung cancer patient).*

*Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers instead to:*

- the culturing of something,*
- the performance of an amplification test (i.e. a PCR test),*
- or the sequencing of something.*

*Please also note that my request is not limited to records that were authored by The Department of Health or that pertain to work done by The Department of Health. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that The Department of Health has downloaded or printed.*

*If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it)."*

On 24 August 2020, the department sent you an email advising the department does not hold any documents relating to the scope of your request and referring you to the states and territories. You responded the same day, seeking a PDF response and asking questions about SARS-COV-2 Virus Isolation.

I am writing to advise you of my decision.

### **FOI decision**

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

All reasonable steps have been taken to find documents referred to in your request including consultation with relevant policy and program areas, thorough searches of departmental file management systems, electronic documents on shared and personal drives and departmental data bases.

I am satisfied the consultation undertaken and the searches conducted were thorough and all reasonable steps have been taken to locate documents relevant to your request. I am satisfied the documents referred to in your request do not exist.

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

### **FOI review rights**

If you are dissatisfied with my decision, you may apply for an internal review or Australian Information Commissioner (Information Commissioner) review of the decision.

#### Internal review

Under section 54 of the FOI Act, you may apply in writing to the department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the department allows). Where possible please provide reasons why you consider review of the decision is necessary. The internal review will be carried out by another officer of this department within 30 days.

An application for an internal review should be addressed to:

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

### Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review my decision. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

The Australian Information Commissioner can be contacted by:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Phone: 1300 363 992

More about the Information Commissioner review is available on the Office of the Australian Information Commissioner (OAIC) website at:

<https://www.oaic.gov.au/freedom-of-information/reviews/>

You may also make a complaint to the Information Commissioner about action taken by the department in relation to your application. Further information can be obtained from the OAIC website.

### **Relevant provisions of the FOI Act**

The FOI 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/C2020C00110>

### **Additional information**

As mentioned in the department's email to you of 25 August 2020, the FOI Act provides a mechanism for individuals to access 'documents' held by entities such as the department. It does not provide a mechanism for making enquiries or asking questions about issues.

However, outside the FOI Act, I can provide you with the following information that may be of assistance to you.

Point-of-care testing is a form of testing in which the analysis is performed where healthcare is provided, close to or near the patient. All point-of-care test kits for identifying the SARS CoV-2 virus (COVID-19 test kits) approved by the Therapeutic Goods Administration (TGA) for supply within Australia and inclusion in the Australian Register of Therapeutic Goods are listed on the TGA website at:

[www.tga.gov.au/covid-19-test-kits-included-artg-legalsupply-australia](http://www.tga.gov.au/covid-19-test-kits-included-artg-legalsupply-australia).

Information about the regulation of in vitro diagnostic medical devices in Australia, including the COVID-19 test kits, is also available on the TGA website at:

[www.tga.gov.au/overview-regulatory-framework-vitro-diagnostic-medical-devices](http://www.tga.gov.au/overview-regulatory-framework-vitro-diagnostic-medical-devices)

Additionally, there is a publically available paper on the isolation of SARS-CoV-2 at VIDRL (which describes inoculation of Vero/hSLAM cells which led to the isolation of SARS-CoV-2 in culture), which can be located at the following link:

<https://www.mja.com.au/journal/2020/212/10/isolation-and-rapid-sharing-2019-novel-coronavirus-sars-cov-2-first-patient>

## **Contacts**

If you require clarification of any of the matters discussed in this letter you should contact Freedom of Information Unit on (02) 6289 1666 or at [FOI@health.gov.au](mailto:FOI@health.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'KBishop'.

K. Bishop  
Principal Lawyer  
Legal Advice & Legislation Branch

9 September 2020



September 18, 2020

Christine Massey  
#221 - 93 George St. S.  
Brampton ON L6Y 1P4  
**via e-mail: [cmssyc@gmail.com](mailto:cmssyc@gmail.com)**

Dear Christine:

**RE: Freedom of Information Request # 20-03 – Decision Letter**

I am writing regarding your access request under the *Freedom of Information and Protection of Privacy Act* ("FIPPA"), received on July 17, 2020, as follows:

*All records in the possession, custody or control of Mount Sinai Hospital describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; lung cells from a lung cancer patient).*

*Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers instead to:*

- *the culturing of something, or*
- *the performance of an amplification test (i.e. a PCR test), or*
- *the sequencing of something.*

*Please also note that my request is **not limited** to records that:*

- *were authored by Mount Sinai Hospital researchers, or*
- *pertain to work done by Mount Sinai Hospital researchers, or*
- *pertain to work done at Mount Sinai Hospital.*

*My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Mount Sinai Hospital has downloaded or printed.*

*If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it.*



I have again reviewed your request, as well as your e-mail of August 26, 2020 clarifying the records that you are seeking, with experts at Sinai Health who have significant knowledge and experience in respect of the isolation of viruses as well as SARS-CoV-2. We do not interpret the clarification that you have provided to change the substance of your request.

As set out in my letter of August 25, 2020, isolation of a virus in the manner that you have described is not possible for any virus, including SARS-CoV-2; it is not within the scope of current scientific processes. For this reason, and based on a reasonable search for responsive records, Sinai Health is satisfied that the records you are seeking do not exist.

You may request the Information and Privacy Commissioner to review this decision. The Commissioner can be reached at:

Information and Privacy Commissioner/Ontario  
1400 - 2 Bloor Street East  
Toronto, Ontario, M4W 1A8

The appeal fee is \$25.00, payable by cheque or money order to the Minister of Finance and must be included with your correspondence. Please note that you have 30 days from the receipt of this letter to request a review by the Commissioner.

Yours very truly,

A handwritten signature in blue ink that reads "Jesstina McFadden". The signature is fluid and cursive.

**Jesstina McFadden**

*Director, Privacy and Information Access (Interim)*  
416-586-4800 x 5886  
[Jesstina.McFadden@sinaihealth.ca](mailto:Jesstina.McFadden@sinaihealth.ca)





**By email**

Our ref: 04/09/kl/1184

21 September 2020

Dear [REDACTED]

**Re: Freedom of Information Request: Studies re Isolation of SARS-COV-2**

Thank you for your email dated 4 September 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England (PHE) does not hold the information you have specified.

***Your Request***

***All records in the possession, custody or control of Public Health England describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; lung cells from a lung cancer patient).***

***Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers instead to:***

- ***the culturing of something, or***
- ***the performance of an amplification test (i.e. a PCR test), or the sequencing of something.***

***Please also note that my request is not limited to records that were authored by Public Health England or that pertain to work done by Public Health England. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Public Health England has downloaded or printed.***

***If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it).***

## *Response*

PHE can confirm it does not hold information in the way suggested by your request.

Under Section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to the below links which contain information on taking COVID-19 swabs:

<https://www.gov.uk/government/publications/covid-19-guidance-for-taking-swab-samples>

<https://www.gov.uk/government/publications/types-and-uses-of-coronavirus-covid-19-tests/types-and-uses-of-coronavirus-covid-19-tests>

Additionally, the below publication contains some information on virus isolation:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483>

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing [foi@phe.gov.uk](mailto:foi@phe.gov.uk).

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,  
FOI Team



**By email**

[request-701311-306ec32d@whatdotheyknow.com](mailto:request-701311-306ec32d@whatdotheyknow.com)

Our ref: 26/10/Id/1740

3 November 2020

Dear Athanasios Kandias,

**Re: 1740 – FOI NIBSC records on SARS-COV-2**

Thank you for your email dated 26 October 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England does not hold the information you have specified.

***Request***

***All records in the possession, custody or control of NIBSC, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).***

***Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers \*instead\* to:***

- the culturing of something, or***
- the performance of an amplification test (i.e. a PCR test), or • the sequencing of something.***

***Please also note that my request is not limited to records that were authored by the NIBSC or that pertain to work done by the NIBSC. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the NIBSC has downloaded or printed.***

***Please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it).***

***Response***

PHE can confirm it does not hold the information you have specified.

Under Section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to the below links which contain information on taking COVID-19 swabs:

<https://www.gov.uk/government/publications/covid-19-guidance-for-taking-swab-samples>

<https://www.gov.uk/government/publications/types-and-uses-of-coronavirus-covid-19-tests/types-and-uses-of-coronavirus-covid-19-tests>

Additionally, the below publication contains some information on virus isolation:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483>

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing [foi@phe.gov.uk](mailto:foi@phe.gov.uk).

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,  
FOI Team

**3<sup>rd</sup> November 2020**

Dear Sirs

**Freedom of Information Request Reference No: 202010343**

Thank you for your request for information about SARS-COV-2

Your request was received on 24/10/2020 and I am dealing with it under the terms of the Freedom of Information Act 2000 (the Act).

I can confirm that following a search of our records, the Health and Safety Executive does not hold information relating to isolation of SARS-COV-2, I have been advised you should contact Public Health England.

However I can confirm that the Health and Safety Executive holds the information relating ) any published peer-reviewed study that the HSE has downloaded or printed

This information is being withheld as it falls under the exemption in section 21 of the Act Information accessible by other means.

Section 21 of the Act is an absolute exemption not subject to the public interest test.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the decisions made by HSE you may ask for an internal review within two calendar months of the date of this letter by writing to me.

If you are not content with the outcome of the internal review you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)  
Website: <https://ico.org.uk>

Yours sincerely  
**Cameron Hadwin**

## Freedom of Information request to Public Health Wales

<b>FOI Reference:</b>	<b>FOI 453</b>
<b>Date request received</b>	<b>06 October 2020</b>
<b>Date information is due to be sent</b>	<b>03 November 2020</b>

### Information Requested:

Under the Freedom of Information Act 2000, I request all records in the possession, custody or control of Public Health Wales describing the isolation of a 'SARS-COV-2' virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (eg. monkey kidney cells, a.k.a vero cells; liver cancer cells etc).

Please note that I am using "isolation" in the everyday sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers *\*instead\** to:

- the culturing of something, or
- the performance of an amplification test (i.e. a RT-PCR test), or
- the genetic sequencing of something.

Please also note that my request is not limited to records that were authored by the PHW or that pertain to work done by the PHW. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the PHW has downloaded or printed.

Please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it).



## **Information provided for the answer:**

Thank you for your recent request. Public Health Wales has not produced any of the above mentioned material. Any records that may be in possession of Public Health Wales would be material that is already in the public domain, which we would decline to supply under Section 21 of the Freedom of Information Act.

Under our duty to assist, we would ordinarily be willing to provide links or advise where you may be able to find such documentation if we held it within our systems, however the information above would prove to be too wide in terms of search parameters for us to identify any records with certainty that we hold.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor  
Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Telephone: 029 2067 8400

Email: [wales@ico.org.uk](mailto:wales@ico.org.uk)