

Freedom of Information request re "SARS-COV-2" isolation

Christine Massey <cmssyc@gmail.com>
To: foi@imperial.ac.uk

Thu, Feb 11, 2021 at 2:25 PM

February 11, 2021

To:
Freedom of Information Officer
Level 4, Faculty Building
Imperial College London
South Kensington
London SW7 2AZ
foi@imperial.ac.uk

Dear Freedom of Information Officer,

This is a formal request for access to general records, made under the *Freedom of Information Act, 2000*.

Description of Requested Records:

All records **in the possession, custody or control of Imperial College London** describing the isolation of **any variant** ("new" or "old") of the alleged "SARS-COV-2" / "COVID-19 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; fetal bovine serum).

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

Please also note that my request is **not limited** to records that were authored by Imperial College London or that pertain to work done at/by Imperial College London. Rather, my request includes any record **matching the above description**, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that has been downloaded or printed **by Imperial College London**.

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 one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

Format:

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

Contact Information:

Last name: Massey

First name: Christine

Address:

Phone:

Email:

Thank you in advance and best wishes,
Christine Massey, M.Sc.

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-85

IMPFOI <foi@imperial.ac.uk>

Fri, Feb 12, 2021 at 6:01 AM

To: Christine Massey <cmssyc@gmail.com>

Dear Ms Massey,

This is to acknowledge receipt of your request below, made under the Freedom of Information Act. The College will respond to your request by 12 March.

Yours,

Freedom of Information Team

[Imperial College London](#)

Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-85

IMPFOI <foi@imperial.ac.uk>

Fri, Mar 12, 2021 at 12:07 PM

To: "cmssyc@gmail.com" <cmssyc@gmail.com>

Dear Ms Massey,

Thank you for your Freedom of Information Act request, which was as follows:

*All records in the possession, custody or control of Imperial College London describing the isolation of **any variant** ("new" or "old") of the alleged "SARS-COV-2" / "COVID-19 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; fetal bovine serum).*

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

*Please also note that my request is **not limited** to records that were authored by Imperial College London or that pertain to work done at/by Imperial College London. Rather, my request includes any record matching the above description, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that has been downloaded or printed by Imperial College London.*

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 one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

Part of your request is asking Imperial College to locate for you and then compile a directory of all scientific papers on the isolation of the COVID-19 virus where the patient sample was not first combined with any other source of genetic material. In addition, you have asked the college for details of "any published peer-reviewed study authored by anyone, anywhere, ever that has been downloaded or printed by Imperial College London". Imperial College does not hold a directory or document listing every resource on this topic produced by "anyone, ever, anywhere". Neither do we hold a record of every document that has ever been downloaded or printed by staff or students of the College. The Freedom of Information Act provides a right to access existing records held by public authorities; it does not extend to a right to have public authorities create information in order to respond to requests.

Scientific papers on this topic produced by Imperial College or others are generally in the public domain and thus already accessible to you. Information is exempt from the Freedom

of Information Act (Section 21) if it is already reasonably accessible to the requester. You can view Imperial College COVID-19 publications (which will contain references to other published papers where relevant) on our [website](#).

If you are unhappy with the way that we have handled your request, you can ask us to conduct a review. Please make your representation in writing within 40 days of the date you received this response. If you remain dissatisfied with how Imperial College has handled your request, you may then approach the [Information Commissioner's Office](#).

Yours,

Freedom of Information Team
[Imperial College London](#)

Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-85

Christine Massey <cmssyc@gmail.com>
To: IMPFOI <foi@imperial.ac.uk>

Fri, Mar 12, 2021 at 12:55 PM

Dear "Team",

Thank you for your response, however it is insufficient and I require further assistance in accordance with the *Freedom of Information Act, 2000*.

Be advised that all responses/nonresponses from the "Team" will be made public.

The response you have provided thus far reflects very poorly on your institution and your "Team" because it either feigns misunderstanding of a perfectly clear and reasonable request (that has already been understood quite perfectly by [dozens of institutions around the world](#)), or it demonstrates gross incompetence and utter lack of intelligence.

In case of the latter: I have **only** requested **existing records** held by public authorities ("*All records in the possession, custody or control of Imperial College London ...*").

There are no separate "*parts*" to my request. The remainder of my **Description of Requested Records** was clarification of my 1 request.

I did not request a "directory" or a "document listing every resource on this topic produced by "anyone, ever, anywhere"", or "a record of every document that has ever been downloaded or printed by staff or students of the College", or that anyone "create information" for me.

As you acknowledge, the Act provides a right to access existing records held by public authorities and exempts information **if it is already reasonably accessible to the requester**. To my knowledge, no responsive records exist; obviously a requester **cannot** reasonably access records when, to their knowledge, those records do not even exist.

Further, I remind you that Section 1 of the Act states:

General right of access to information held by public authorities.

*(1) Any person making a request for information to a public authority is entitled —
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to him.*

Thus the College has a "**duty to confirm or deny**" and you are presently in violation of that duty.

Therefore, I look forward to a response from the College that is in accordance with *the Act*.

Thank you and best wishes,
Christine

IMPFOI Tue, Mar 16, 9:47 AM

Dear Ms Massey,

I refer to your email below. I manage Freedom of Information Act requests for Imperial College and handle FOI Internal Reviews for the College.

I hope that we will be able to achieve clarity on your request and provide you with any information to which you are entitled. It would be helpful to that process if you could refrain from insulting members of the team. As the author of the request, no doubt it is clear to you what information you wish to access, however, having reviewed your request, it does read to me as if you are asking the College to compile a catalogue of any document that has ever been downloaded or printed by Imperial College staff or students that describes the isolation of the virus. If that was not your intention, perhaps you could take this opportunity to provide some clarification and explain what you are hoping to access? If you could provide more detail about the information that you are hoping to access, the context of your request or your reason for asking, that might help us to conduct a targeted search.

We explained in our response to you that we do not keep records of what material has been printed or downloaded by our staff and students. In order for us to deal with your request in its present form we would need to ask all staff and students at the College whether they had downloaded or printed information on the isolation of the virus and ask them to provide details. As the college has about 20,000 students and 8,000 members of staff that approach is not practical. The exemption at Section 12 of the Freedom of Information Act, which provides that organisations need not respond to Freedom of Information Act requests if it would take more than 18 hours to extract and compile the information requested, would apply.

While your request refers to information held by "Imperial College", I presume the focus would be on information held by academics and researchers in the relevant field, not *any* member of Imperial College staff or the College students. We could approach the relevant academics at the College to ask them if they hold any information within the scope of your request. Our response to your request included a link to the College's pages on our COVID-19 response. Perhaps you could identify with reference to that, the academics or academic discipline/s that would be likely to hold the information that you are seeking?

You may find the Information Commissioner's Office guidance on [how to access information from a public body](#) helpful. You might want to bear in mind that public authorities are not obliged to respond to requests if it would take more than 18 hours to locate, collate or extract the information requested (Section 12, Freedom of Information Act), if responding to the request would cause a public authority an unjustified or disproportionate level of disruption (Section 14) or if the request is for information that is already reasonably accessible (Section 21).

Yours,
Anita Hunt

Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-85

Christine Massey <cmssyc@gmail.com>
To: IMPFOI <foi@imperial.ac.uk>

Tue, Mar 16, 2021 at 7:05 PM

Dear Anita,

Thank you for your message.

I am not expecting anyone to ask 20,000 students and 8,000 members about their download history or to do anything that would take more than 18 hours.

Imperial College London has played a key role in "COVID-19" via the modeling of Professor Neil Ferguson. Also the Deputy Director of National Infection Service and Director of Reference Microbiology Services at Public Health England, Maria Zambon, is a virologist and professor at Imperial College, and she is co-author on the infamous Corman-Drosten paper that is behind most of the "COVID-19" PCR tests performed around the world.

Therefore, a reasonable person might hope and expect that someone on staff at the College would have done their due diligence to ensure that the alleged "deadly virus" does in fact exist (with isolation/purification - as described in my request - being an essential piece of the necessary science) and that responsive records would thus be in the possession, custody or control of the College. However as I explained in my last email, to my knowledge, no such records exist anywhere on the planet. If such records do in fact exist and are held by the College, then I (and many other people around the world) require access to them.

So, you are correct in presuming that the focus would be on information held by academics and researchers in the relevant field, not *any* member of Imperial College staff or the College students.

Since I am not familiar with how your institution or the records of your institutions are organized, and do not even expect that any such records exist, I'm afraid I'm not in a position to advise on how best to conduct a reasonable search at the College. However Professors Ferguson and Zambon would seem a reasonable place to start. If they do not know of any such records then they could advise you on how best to continue with the search or whether there is even any point in continuing.

Thank you and best wishes,
Christine

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-151

IMPFOI <foi@imperial.ac.uk>
To: Christine Massey <cmssyc@gmail.com>

Wed, Mar 17, 2021 at 2:09 PM

Dear Ms Massey,

This is to acknowledge receipt of your request below, made under the Freedom of Information Act. The College will respond to your request by 16 April.

Yours,

Freedom of Information Team
[Imperial College London](#)

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-151

Christine Massey <cmssyc@gmail.com>
To: IMPFOI <foi@imperial.ac.uk>

Wed, Mar 17, 2021 at 3:15 PM

Dear Anita and the Imperial College London Freedom of Information Team,

You just responded (as shown below this email) to an email thread with the subject line **Re: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-85** that is obviously a discussion of a request that I first submitted to your institution **over a month ago (February 11, 2021)**, and you implied that the email that you responded to is a new request when it clearly is not. You also assigned a new email subject line that indicates a new file number **IMPFOI-21-151** and stated your intention to take yet another month to provide a response to my February 11, 2021 request.

Which provision of the *Freedom of Information Act, 2000* allows for such a handling of a request that is already 5 weeks old?

Be advised once again that all responses/nonresponses from the "Team" will be made public.

Thank you and best wishes,
Christine

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-151

IMPFOI <foi@imperial.ac.uk>
To: Christine Massey <cmssyc@gmail.com>

Thu, Mar 18, 2021 at 9:16 AM

Dear Ms Massey,

I apologise that we did not expressly state in our acknowledgement that we would be treating your revised request as a new request.

We replied to your Freedom of Information Act (our re. IMPFOI-21-85) on March 16. Following our correspondence, you have refined your request to focus on information that might be held by Professors Ferguson and Zambon. We regard this as a different request and have recorded it as such, hence the new reference number and timescale.

Yours,

Anita Hunt

Access to Information Manager

Central Secretariat

[Imperial College London](#) | South Kensington Campus | Faculty Building Level 4 | London SW7 2AZ

Tel: +44 (0)20 7594 5107

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-151

Christine Massey <cmssyc@gmail.com>

Thu, Mar 18, 2021 at 5:06 PM

To: IMPFOI <foi@imperial.ac.uk>

Dear Anita,

I'm quite certain that any reasonable person would view our ongoing communications as a discussion of my 1 and only request (which has not changed in any way) and would agree that the College has still not fulfilled its "*duty to confirm or deny*" as per Section 1 of the Act.

Regarding one of the earlier emails from you (or your Team), it is not clear to me why you ever brought up the issue of 20,000 students and 8,000 members of staff. Surely papers downloaded or printed by ICL students are their own business and not subject to the Act.

For future reference, would you please clarify - does the College take the position that anything downloaded or printed **by a student or any staff member** is in the possession, custody or control of the College and hence subject to the Act and potentially responsive to my and other information requests? I ask this because my request specifically asked for "*All records in the possession, custody or control of Imperial College London describing the isolation of any variant ("new" or "old") of the alleged "SARS-COV-2" / "COVID-19 virus" ...*"

And for future reference, is the College in the habit of canvassing 20,000 students and 8,000 members of staff (or, taking the position that it would be necessary to canvass 20,000 students and 8,000 members of staff) in response to records requests as specific as mine?

Or is my request receiving special treatment?

Thank you and best wishes,
Christine

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-151

IMPFOI <foi@imperial.ac.uk>
To: Christine Massey <cmssyc@gmail.com>

Fri, Mar 19, 2021 at 11:25 AM

Dear Ms Massey,

You would be entitled to make a complaint to the Information Commissioner's Office if you believe that the College has not complied with its obligations under the Freedom of Information Act.

I referred to the number of staff and students at the College in order to explain why it would not be possible to deal with your request in its original form within the FOI time -limit.

The College's position on the application of the Freedom of Information Act is determined by the guidance from and decisions of the Information Commissioner's Office and decisions of the courts. Further information on the application of the legislation can be found on the [ICO's website](#).

Imperial College aims to fully comply with our legal obligations in relation to all FOI requests received, we do not give special treatment to any requests.

Yours,

Anita Hunt

Access to Information Manager
Central Secretariat

[Imperial College London](#) | South Kensington Campus | Faculty Building Level 4 | London SW7 2AZ

Tel: +44 (0)20 7594 5107

RE: Freedom of Information request re "SARS-COV-2" isolation, IMPFOI-21-151

Christine Massey <cmssyc@gmail.com>
To: IMPFOI <foi@imperial.ac.uk>

Fri, Mar 19, 2021 at 12:45 PM

Dear Anita,

Thank you.

I won't bother making a complaint to the Information Commissioner's Office because I'm quite certain that would be a waste of my time.

What I will do is make our entire communications public and let thinking men and women decide for themselves whether or not "The Team" has handled my records request in a reasonable manner.

Best wishes,
Christine