

TO:  
National Lead Office FOI, DP and Records Management,  
HSE National Communications Division,  
Tullamore, Co Offaly.

Dear...

Request under the Freedom of Information Act 2014.

Please provide me with a full, accurate and complete list of records held by the Health Service Executive (HSE) or under the authority of the HSE which describe the isolation of the SARS-COV-2 virus (Coronavirus COVID-19), taken directly from a symptomatic patient with COVID-19, where the sample was not combined or mixed with any other source of genetic material (such as, for example, monkey kidney cells or cancer cells), thereby eliminating contamination as a possible alternative source of sampling.

Please note that the word “isolation” is used here in the normally understood meaning of that word, namely, the act of separating one thing from another. I am not referring to (and hence not requesting) documents where “isolation” means the preparation of a culture of something else, the performance of an amplification test (e.g. a PCR test which detects only mRNA or DNA), or to the sequencing of anything other than the viral isolate in question.

If any records of the HSE match the above description, please provide enough information so that I may identify and access each record with certainty. Please provide also the title, author, date, journal, weblink etc. of any document, online or otherwise, recorded on a document held by the HSE or under its authority, which describes the isolation procedure in question.

I would remind you that a full, accurate and complete disclosure is required.

Yours sincerely

Robert Pye

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30 October 2020

Email: □□□□□□□□□□□□□□

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**RESPONSE by HSE (23 December 2020) [C839/20]:**

**“Following consultation with my colleagues, both from the scientific and medical areas of HPSC [we] can confirm that we would hold no records in relation to your request.”**

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## APPENDIX B



23rd December 2020

**C839/20**

Mr Robert Pye

### **Re: FOI request C839/20**

Dear Mr Pye

I refer to your request which was received by this office on 22<sup>nd</sup> December 2020 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought the provision of the following information with regards to

“A full, accurate and complete list of records held by the Health Service Executive (HSE) or under the authority of the HSE which describe the isolation of the SARS-COV-2 virus (Coronavirus COVID-19), taken directly from a symptomatic patient with COVID-19, where the sample was not combined or mixed with any other source of genetic material (such as, for example, monkey kidney cells or cancer cells), thereby eliminating contamination as a possible alternative source of sampling.

Please note that the word “isolation” is used here in the normally understood meaning of that word, namely, the act of separating one thing from another. I am not referring to (and hence not requesting) documents where “isolation” means the preparation of a culture of something else, the performance of an amplification test (e.g. a PCR test which detects only mRNA or DNA), or to the sequencing of anything other than the viral isolate in question.

If any records of the HSE match the above description, please provide enough information so that I may identify and access each record with certainty. Please provide also the title, author, date, journal, weblink etc. of any document, online or otherwise, recorded on a document held by the HSE or under its authority, which describes the isolation procedure in question.

I would remind you that a full, accurate and complete disclosure is required”.

Following consultation with my colleagues, both from the scientific and medical areas of HPSC can confirm that we would hold no records in relation to your request. These are the reasonable steps I have taken to ascertain the whereabouts or existence of such records and unfortunately I must inform you that having undertaken these searches we were unable to locate the records in question. I am satisfied that all reasonable steps have taken to locate the records you have requested and must refuse therefore your request under Section 15.1(a) of the FOI Act 2014.

### **Rights of appeal**

In the event that you are unhappy with this decision you may appeal this it. In the event that you need to make such an appeal, you can do so by writing to the HSE National Lead Office, FOI, DP and Record Management, Scott Building, Midland Regional Hospital Campus, Arden Road, Tullamore, Co. Offaly. Your correspondence should include a fee of €30 for processing the appeal. An internal review fee of €10 applies to medical card holders. Payment should be made by way of bank draft, money order, postal order or personal cheque made payable to the Health Service Executive. If you wish to make payment by electronic means please contact [emma.kelly@hse.ie](mailto:emma.kelly@hse.ie) . You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact me by email on [sinead.roche@hse.ie](mailto:sinead.roche@hse.ie).

Yours sincerely,

Sinead Roche

FOI Decision Maker