



Mr [REDACTED]
[REDACTED]

Our Reference: 202200277454

15 February 2022

Dear Mr [REDACTED]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 01 February 2022 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked for:

'All records in possession, custody or control of Scottish Government 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 source of genetic material (i.e. monkey kidney cells aka 'vero cells', liver cancer cells).

Please note 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.*

To clarify, I am requesting all such records that are in possession, custody or control of Scottish Government (i.e. downloaded to a computer, printed, in hard copy etc).

Please note my request is not limited to records that were authored by the Scottish Government or that pertain to work done by the Scottish Government. My request includes any sort of record, (i.e. but not limited to any published peer-reviewed study that the Scottish Government 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).'

Response to your request

This is a formal notice under **Section 17(1)** of FOISA that the Scottish Government does not have the information you have requested.

Throughout the epidemic, having a clear route for synthesising scientific evidence and presenting that to Government is important. To do this, scientific advice is provided by the [Scottish Government COVID-19 Advisory Group](#). In addition, the Scottish Government is informed by SAGE, and its sub groups of which further details can be found on the [UK Government website](#).

To assist you with your query, [multiple scientific papers that are publicly accessible](#), have documented that they were able to isolate SARS-CoV-2, the causative agent of Covid-19. The hyperlink provided will direct you to some of the papers that detail the isolation of the virus.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Richard Foggo, Covid-19 Directorate, St Andrews House, Edinburgh, EH1 3DG or by emailing Richard.Foggo@gov.scot.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review in accordance with FOISA as soon as possible, and not later than 20 working days from the day following the date we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website [here](#).

Yours sincerely

Jason Carroll
Covid Ready Society

Mr [REDACTED]
[REDACTED]

Our Reference: 202200277454
Your Reference: Review - FOI 202200277454

9 March 2022

Dear Mr [REDACTED]

Further to my letter of 21 February 2022, I have now completed my review of your request under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your original request asked:

"All records in possession, custody or control of Scottish Government 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 source of genetic material (i.e. monkey kidney cells aka 'vero cells', liver cancer cells).

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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)."

I have been asked to look at your request afresh, to decide whether the original response should be confirmed, with or without modifications, as appropriate, or that a fresh decision should be substituted. I can confirm that I was not involved in the handling or decision-making around the original response.

I have examined the information held on our electronic information management system and, having done so, I have concluded that the original decision should be confirmed, without modification.

My conclusion on reviewing your request of 1 February 2022 is that the original response was accurate and correctly stated that the Scottish Government does not hold the information you have requested. This response went further to include links to online scientific literature that has documented the isolation of SARS-CoV-2.

If you are unhappy with the outcome of this review you have the right to appeal to the Scottish Information Commissioner about our decision within 6 months of receiving this letter. Information on how to make an appeal, along with an application form, is available on the Commissioner's website [here](#).

You can also contact the commissioner:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

E-mail: enquiries@itspublicknowledge.info

Telephone: 01334 464610

Should you then wish to appeal against the Commissioner's decision, there is a right of appeal to the Court of Session on a point of law only.

Yours sincerely

Ross Grant
COVID : COVID Ready Society

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St Andrew's House, Regent Road, Edinburgh EH1 3DG
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