



31 May 2022



**OFFICIAL INFORMATION REQUEST FOR INFORMATION REGARDING THE PAPER  
'CHARACTERIZATION OF THE FIRST SARS-COV-2 ISOLATES FROM AOTEAROA  
NEW ZEALAND AS PART OF A RAPID RESPONSE TO THE COVID-19 PANDEMIC'**

I refer to your official information request dated 3 May 2022 for information regarding the paper recently published by Professor Quiñones-Mateu 'Characterization of the First SARS-CoV-2 Isolates from Aotearoa New Zealand as Part of a Rapid Response to the COVID-19 Pandemic.'

We have decided to decline your request under section 18(f) of the Official Information Act 1982 (Act), on the basis that the information requested cannot be made available without substantial collation and research. Your request seeks information of which it is not reasonably practical for our staff to research the existence, and/or to collate.

There is no obligation on an agency to create information in order to respond to a request and we reserve our position on whether we hold the information you have requested. We also note that the vast majority of the information that has been requested is already supplied in Professor Quiñones-Mateu's report.

Furthermore, we have decided to refuse your request under section 18(h) of the Act because we are satisfied that it is appropriate to consider it vexatious.

We have not reached this decision lightly. However, it is clear to us that your request, in conjunction with seven other requests dated 3 May 2022 – 5 May 2022, represent an attempt to collude with others in an effort to circumvent the University's decision to refuse to provide information in respect of your previous requests. It is clear that these other requests have been made on that basis as:

- They are identical to information that you have previously requested on 25 February 2022 and 30 March 2022.
- Your request came through to us on the same day as six similar requests from your agents.

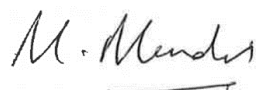
The University considers this an abuse of the official information process and that:

- The additional requests that have been made by you and your agents would, in their totality, impose an excessive and unreasonable burden on the University given the time and resources that would be required to process all of the requests.
- The University could not respond to the requests without imposing an unreasonable burden on Professor Quiñones-Mateu and exposing him to unreasonable stress.
- You have submitted numerous previous requests, which have taken significant time and resources to address. This has already had significant impact on staff and other operations within the University. Professor Quiñones-Mateu in particular has already spent a significant amount of time assisting our office to respond to your previous requests we are unwilling to require further of him.
- You have requested exactly the same information that has been sought previously in your requests of 25 February 2022 and 30 March 2022.

The University of Otago takes its obligations under the Official Information Act 1982 seriously. We have carefully considered your previous requests, as well as this latest request, and worked closely with Professor Quiñones-Mateu to determine what information we can and cannot provide. However, our decision of 25 March 2022 in respect of the information you have requested is final and we have no further information to provide.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M. Mendis', with a horizontal line underneath the name.

Mayhaka Mendis

Acting Registrar  
Office of the Registrar



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## Official Information Act Request - Isolation Paper

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Tue, May 31, 2022 at 5:14 PM

[REDACTED]  
To: UoO - Official Information Act <oia@otago.ac.nz>

Greetings University of Otago,

I am making a formal complaint regarding my Official Information Act request listed below:

- **The Whole-genome SARS-COV-2 sequences submitted to GISAID.**
  - GISAID requires private membership where access to this data is not publicly available.

I reject the claim of an 18(f) as the whole genome sequence is simply a file that your researcher should have on their computer.

I expect as an outcome that the University of Otago provides the above records.

I reject the claim of an 18(h) of the act as I am seeking information that should be public. The information that I seek demonstrates the University is engaged in fraud and this is why the university is not releasing this information publicly as they should according to the Act. So I consider the university's usage of 18(h) as vexatious.

Regarding other people's requests for information from the University of Otago, I simply do not have control over what others request. I have shared my official information act responses publicly and so if other people are interested in the information that the University of Otago is clearly hiding, that is their business.

I expect a response from the University within 7 calendar days. If I do not hear back, then I will be filling a complaint with the Ombudsman per my consultation with the Ombudsman on this matter.

Regards