



## Department of Health and Human Services

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Our ref: F20/0685

Ms Helena Smirnis

Sent via email to: [sirendoll0@gmail.com](mailto:sirendoll0@gmail.com)

Dear Ms Smirnis

### **NOTICE OF DECISION FREEDOM OF INFORMATION REQUEST**

I refer to your application made pursuant to the *Freedom of Information Act 1982* (the Act) cited below and received by the department on 5 May 2020:

*'One document that shows and provides scientific factual evidence, of the testing procedure being used in Australia that 100% positively identifies Covid-19 otherwise known as SARS-CoV-2 (not any other type of Corona Virus) in a living human, beyond any reasonable doubt.'*

#### ***Freedom of Information Act 1982 (Vic)***

The Act establishes a general right of access to documents held by the department. To protect essential public interests and the private and business affairs of individuals, the right of access does not apply to a document identified in the Act as exempt.

If a document contains exempt material the Act allows for an edited copy to be released after the exempt matter has been deleted and where it is practicable to do so.

#### **Documents**

On the basis of your request, the Regulation, Health Protection and Emergency Management division conducted a thorough and diligent search and advised that no relevant documents have been located.

The division advised that a scan of the publicly available literature found that there is currently no test available that 100% positively identifies COVID-19 in a living human beyond any reasonable doubt, as all diagnostic tests have a margin of error.

## **Review rights**

You can complain to the Office of the Victorian Information Commissioner if you are dissatisfied with the way in which the request has been managed or in situations where documents do not exist or cannot be located.

The enclosed fact sheet contains more information about this process.

Yours sincerely



**Cristina Aviles**

Senior Freedom of Information Adviser  
Legal and Executive Services

01 / 06 / 2020

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1. Fact Sheet – Office of the Victorian Information Commissioner – Complaints

# Freedom of Information Complaints

## Factsheet

If you are not satisfied with the way that the department processed your freedom of information request, you may lodge a complaint with the Office of the Victorian Information Commissioner (the Commissioner).

## Types of Complaints

The Commissioner can investigate actions taken by agencies in processing requests.

Examples include:

- if the department advises you that the documents cannot be located or that the documents do not exist
- if you feel that the department's response to a freedom of information request has been unreasonably delayed beyond the statutory time period.

## Timeframe for making a complaint

A complaint must be made within 60 days of the action or conduct which is the subject of the complaint.

## How to make a complaint

Complaints must be made in writing and addressed to:

Victorian Information Commissioner  
Office of the Victorian Information Commissioner  
PO Box 24274  
Melbourne Victoria 3001  
Phone: 1300 006 842  
[enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)

Complaint application forms are available on the Commissioner's website: [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au)

To receive this publication in an accessible format phone (03) 9096 8449, using the National Relay Service 13 36 77 if required, or email [foi@dhhs.vic.gov.au](mailto:foi@dhhs.vic.gov.au)

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