



## Australian Government

### Department of Health and Aged Care

FOI reference: FOI 4999

Andrew

By email: [foi+request-11173-adf185a7@righttoknow.org.au](mailto:foi+request-11173-adf185a7@righttoknow.org.au)

Dear Andrew

### Decision on your Freedom of Information Request

I refer to your request of 26 February 2024 to the Department of Health and Aged Care (the department), seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to:

1. Could you please supply the "evidence" referred to in the document here: <https://www.health.gov.au/sites/default/files/2022-12/coronavirus-covid-19-guidance-on-community-face-mask-use.pdf> recommending the use of face masks. Please include all current evidence used in this guidance, or non-current evidence involved with previous versions of this guidance.
2. Could you please supply the names of all past and present ICEG members, including their qualifications and what "expert advice" they contributed to statements or publications produced by ICEG.

### Clarification of scope of request

On 7 March 2024, following consultation with you, you clarified that the scope of your request was for "BOTH the clinical evidence and studies published in scientific journals relied on to produce these policies/guidance around mask-usage for the prevention of COVID-19 AND the guidance itself and how it changed over time (2020-2022)."

On 11 March 2024, you further clarified that links to the studies would be sufficient so as to not make this request impracticable.

I am authorised under subsection 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision on your request.

## **Additional information**

In addition to the documents released further evidence related to use of face masks is available at:

- <https://www.health.gov.au/resources/collections/iceg-endorsed-resources-for-infection-prevention-and-control>;
- <https://www.health.gov.au/sites/default/files/2022-12/guidance-on-the-use-of-personal-protective-equipment-ppe-for-health-care-workers-in-the-context-of-covid-19.pdf>; and
- Page 15 of <https://multimedia.3m.com/mws/media/1791500O/comparison-ffp2-kn95-n95-filtering-facepiece-respirator-classes-tb.pdf>.

Documents 2 and 3 are Monash reports copyrighted to the department, should you have queries regarding copyright requests or enquiries please direct this to [copyright@health.gov.au](mailto:copyright@health.gov.au).

## **FOI decision**

I have identified three documents that are relevant to your request. These documents were in the possession of the department when your request was received.

I have decided to give access to information relevant to your request in those three documents in full.

A schedule setting out the documents relevant to your request, with my decision in relation to those documents, is at **ATTACHMENT A**.

## **Legislative provisions**

The FOI Act, including the provisions referred to in my decision, is available on the Federal Register of Legislation website: [www.legislation.gov.au/Series/C2004A02562](http://www.legislation.gov.au/Series/C2004A02562).

## **Your review rights**

I have set out your review rights at **ATTACHMENT B**.

## **Publication**

Where I have decided to release documents to you, the department may also publish the released material on its Disclosure Log. The department will not publish personal or business affairs information where it would be unreasonable to do so.

For your reference the department's Disclosure Log can be found at: [www.health.gov.au/resources/foi-disclosure-log](http://www.health.gov.au/resources/foi-disclosure-log).

## Contacts

If you require clarification of any matters discussed in this letter you can contact the FOI Section on (02) 6289 1666 or at [FOI@health.gov.au](mailto:FOI@health.gov.au).

Yours sincerely

A handwritten signature in black ink that reads "David Ness". The signature is written in a cursive, slightly slanted style.

David Ness  
Assistant Secretary  
Health Emergency Management Branch  
10 April 2024

ATTACHMENT A.

SCHEDULE OF DOCUMENTS  
FOI 4999

Document	Pages	Date	Description	Decision on access <sup>1</sup>	Relevant provision of FOI Act
1	3	15 July 2022	ICEG Members final list for online	R	N/A
3	32	30 January 2022	Monash University rapid reviews of SARS-CoV-2 topics for infection prevention and control guidance development: Executive Summary and methods	R	N/A
4	53	30 January 2022	PowerPoint related to document 3	R	N/A

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<sup>1</sup> R = Release in full.

## ATTACHMENT B.

### YOUR REVIEW RIGHTS

If you are dissatisfied with my decision, you may apply for a review.

#### **Internal review**

You can request internal review within 30 days of you receiving this decision. An internal review will be conducted by a different officer from the original decision maker.

No particular form is required to apply for review although it will assist your case to set out the grounds on which you believe that the original decision should be changed.

Applications for internal review can be made by:

Email: [FOI@health.gov.au](mailto:FOI@health.gov.au)

Mail: FOI Unit (MDP 516)  
Department of Health and Aged Care  
GPO Box 9848  
CANBERRA ACT 2601

If you choose to seek an internal review, you will also have a right to apply for Information Commissioner review (IC review) of the internal review decision once it has been provided to you.

#### **Information Commissioner review or complaint**

You also have the right to seek Information Commissioner (IC) review of this decision. For FOI applicants, an application for IC review must be made in writing within 60 days of the decision. For third parties who object to disclosure of their information, an application for IC review must be made in writing within 30 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the Office of the Australian Information Commissioner (OAIC). However, the OAIC suggests that complaints are made to the agency in the first instance.

While there is no particular form required to make a complaint to the OAIC, the complaint should be in writing and set out the reasons for why you are dissatisfied with the way your request was processed. It should also identify the Department of Health and Aged Care as the agency about which you are complaining.

You can make an IC review application or make an FOI complaint in one of the following ways:

- online at [www.oaic.gov.au/freedom-of-information/reviews-and-complaints/](http://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/)
- via email to [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)
- by mail to GPO Box 5218 Sydney NSW 2001, or
- by fax to 02 9284 9666.

More information about the Information Commissioner reviews and complaints is available on the OAIC website here: [www.oaic.gov.au/freedom-of-information/foi-review-process](http://www.oaic.gov.au/freedom-of-information/foi-review-process).

## **Complaint**

If you are dissatisfied with action taken by the department, you may also make a complaint directly to the department.

Complaints to the department are covered by the department's privacy policy. A form for lodging a complaint directly to the department is available on the department's website here: [www.health.gov.au/about-us/contact-us/complaints](http://www.health.gov.au/about-us/contact-us/complaints).