



Australian Government

Department of Health

Department Reference: FOI 1947

Mr Reason

Via email: foi+request-6663-fe1e51ec@righttoknow.org.au

Dear Mr Reason

**NOTICE OF DECISION UNDER SECTION 24A
OF THE FREEDOM OF INFORMATION ACT 1982**

I refer to your request of 31 August 2020 to the Department of Prime Minister and Cabinet, transferred to the Department of Health (the department) seeking access under the *Freedom of Information Act 1982* (the Act) to the following documents:

America's Centre for Disease Control updated provisional death counts for COVID-19 based on death certificate data received and coded by the National Center for Health Statistics as of August 26, 2020.

https://www.cdc.gov/nchs/nvss/osrr/covid_weekly/index.htm#Comorbidities

COVID-19 was recorded as the only cause of death in around 6% of the recorded cases.

We would like a copy of the document showing how many of Australia's COVID-19 attributed fatalities passed away with at least one serious comorbidity.

FOI Decision

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

Appropriate steps have been taken to find the documents referred to in your request including searches of departmental file management systems.

I am satisfied, on the basis of the searches conducted, that the documents referred to in your request do not exist.

As a consequence, relying on section 24A of the Act, I cannot provide access to the documents you requested.

FOI review rights

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

Internal review

Under section 54 of the Act, you may apply in writing to the department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the department allows). To assist in the internal review process, please provide reasons you consider review of my decision is necessary. The internal review will be carried out by another officer of this department within 30 days of receipt of your application.

An application for an internal review should be sent to:

Email: FOI@health.gov.au
Mail: FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner review

Alternatively, under section 54L of the Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

More information about Information Commissioner reviews is available on the OAIC website at: <https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:

Email: enquiries@oaic.gov.au
Phone: 1300 363 992

You may also make a complaint to the OAIC about action taken by the department in relation to your application. Further information about this process is available on the OAIC website.

Relevant provisions of the Act

The Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:

<https://www.legislation.gov.au/Details/C2020C00246>

Additional information

While the department does not hold the documents you have requested, I can provide the following information which I trust will be of assistance to you.

The department's website hosts information, including Australian statistics about COVID-19. The *Coronavirus (COVID-19) current situation and case numbers* site, which provides regular updates on COVID-19 cases, including information about the number of COVID-19 related deaths by State and Territory. That webpage can be accessed here:

<https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-current-situation-and-case-numbers>

The National Notifiable Diseases Surveillance System co-ordinates the national surveillance of more than 50 communicable diseases or disease groups in Australia. Under this scheme, notifications are made to the States or Territory health authority under the provisions of the public health legislation in their jurisdiction. Summary data for each State and Territory from 1991 to the present is available at the following link:

<http://www9.health.gov.au/cda/source/cda-index.cfm>

In addition, the internet hosts a range of information about COVID-19, including deaths and recovery rates. For example, information about case numbers, deaths and cases around the world is available on the World Health Organisation website here:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

Contacts

If you require clarification of any of the matters discussed in this letter you should contact the department's Freedom of Information Unit on (02) 6289 1666 or at FOI@health.gov.au.

Yours sincerely



K. Bishop
Principal Lawyer
Legal Advice and Legislation Branch

26 September 2020