



**Australian Government**

**Department of Health**

Department Reference: FOI 2933

Mr Daniel Lewis

email: [foi+request-7790-c0d055c8@righttoknow.org.au](mailto:foi+request-7790-c0d055c8@righttoknow.org.au)

Dear Mr Lewis

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

I refer to your request of 1 September 2021 to the Department of Health (department) seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) in the following terms:

1. Please provide the peer reviewed scientific evidence that confirms face masks reduce the spread of covid-19 both indoors and outdoors.
2. Please provide the peer reviewed scientific evidence that confirms lockdowns reduce the spread of covid-19
3. Please provide the peer reviewed scientific evidence that confirms social distancing reduces the spread of covid-19

**Information about COVID-19**

SARS-CoV-2, the virus which causes COVID-19, is real. Multiple scientific studies across the world demonstrate that highly reputable laboratory medicine experts have isolated and sequenced the virus that causes COVID-19, demonstrating that the virus exists, that it exists in variant forms, that it is different from the influenza virus, and that it causes a disease that has resulted in more than 4.5 million deaths worldwide in just over 18 months.

While the department is not the custodian of the scientific studies establishing the existence of SARS-CoV-2, this research has informed the Australian Government's response to the pandemic. You can find those scientific studies in the public domain.

Attached to this email is an article published in the Daily Telegraph on 13 August 2021 that may be of interest to you.

## Effectiveness of face masks

Throughout the COVID-19 pandemic, states and territories have encouraged or mandated the use of face masks by the community in response to outbreaks and community transmission. Mask wearing mandates, lockdowns and stay-at-home orders in Australian communities are enforced by state and territory legislation. You can find weblinks to both jurisdictional and Commonwealth legislation relevant to COVID-19 on the Federal Court of Australia website:

<https://www.fedcourt.gov.au/covid19/legislation>

Everyone wearing face coverings (masks) when needed helps protect ourselves and others. The most important value of a face mask is to reduce the likelihood of you unintentionally transmitting the virus to others. Many individuals with COVID-19 only have mild symptoms or no symptoms at all, and many are also infectious before they develop symptoms. Depending on the type of face mask worn, it may reduce the risk that you will be infected if you come into contact with infectious virus. Face masks in combination with staying home if unwell, physical distancing, hand hygiene, and respiratory etiquette, significantly reduce the risk of transmission in these circumstances, including to those closest to you. The Infection Control Expert Group (ICEG) has published the following guidance regarding the use of face masks and respirators:

<https://www.health.gov.au/sites/default/files/documents/2021/03/the-use-of-face-masks-and-respirators-in-the-context-of-covid-19.pdf>

There is substantial global evidence based on thorough research that demonstrates the effectiveness of face masks in reducing the risk of transmission. This includes evidence showing that high community use of face masks reduces cases, hospitalisations and deaths associated with COVID-19 [1 – 4]. In Australia, face masks have also played an important role in our outbreak responses to help us control transmission [5 – 7]. Many countries recommend the use of face masks within the community to help suppress COVID-19 [2, 3]. Please see the below links for evidence in relation to the effectiveness of face masks:

1. Ford N, Holmer HK, Chou R et al. Mask use in community settings in the context of COVID-19: A systematic review of ecological data. 2021. Lancet. doi: 10.1016/j.eclinm.2021.101024  
[https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370\(21\)00304-7/fulltext](https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370(21)00304-7/fulltext)
2. United States Centers for Disease Control and Prevention. Use of Cloth Masks to Control the Spread of SARS-CoV-2. Available online:  
[https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/masking-science-sars-cov2.html?CDC\\_AA\\_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fmore%2Fmasking-science-sars-cov2.html](https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/masking-science-sars-cov2.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fmore%2Fmasking-science-sars-cov2.html) [last updated 7 May 2021].
3. Brooks JT and Butler JC. Effectiveness of Mask Wearing to Control Community Spread of SARS-CoV-2. 2021. JAMA. doi:10.1001/jama.2021.1505  
<https://jamanetwork.com/journals/jama/fullarticle/2776536>

4. Howard J, Huang A, Li Z et al. An evidence review of face masks against COVID19. 2021. PNAS. doi: 10.1073/pnas.2014564118  
<https://www.pnas.org/content/118/4/e2014564118>
5. Costantino V and MacIntyre CR. The Impact of Universal Mask Use on SARS-COV-2 in Victoria, Australia on the Epidemic Trajectory of COVID-19. 2021. Public Health 9:625499. doi: 10.3389/fpubh.2021.625499  
<https://www.frontiersin.org/articles/10.3389/fpubh.2021.625499/full>
6. Trauer JM, Lydeamore MJ, Dalton GW et al. Understanding how Victoria, Australia gained control of its second COVID-19 wave. 2021. MedRxiv doi: 10.1101/2021.04.03.21254866  
<https://www.medrxiv.org/content/10.1101/2021.04.03.21254866v1.full>
7. Scott N, Saul A, Spelman T et al. The introduction of a mandatory mask policy was associated with significantly reduced COVID-19 cases in a major metropolitan city. 2021. PloS ONE. doi: 10.1371/journal.pone.0253510  
<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0253510#references>

### **Effectiveness of lockdowns**

In your request, you refer to lockdowns. The department does not hold peer reviewed scientific evidence that social distancing reduces the spread of COVID-19.

The States and Territories are responsible for lockdowns within their respective jurisdictions. If you are interested in accessing documents relevant to this, you might like to consider submitting a request to the relevant State or Territory entity.

### **FOI decision**

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 in response to your request.

The FOI Act provides a mechanism for individuals to request access to documents held by relevant entities. It is not a mechanism for asking questions or seeking information that the entity does not hold in documents.

Appropriate steps have been taken to find documents you have requested including consultation with relevant departmental officers and searches of departmental file management systems.

I am satisfied, on the basis of the consultation undertaken and the searches conducted, that the department does not hold any documents referred to in your request. While the department is not the custodian of scientific studies establishing the existence of SARS-CoV-2 and that of its variants, this research, which is available in the public domain, has informed the Australian Government's response to the pandemic.

As a consequence, relying on section 24A of the FOI 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 FOI Act, you may apply for internal review of this decision.

In accordance with section 54B of the FOI Act, an application for internal review must be made in writing within 30 days after the day you are notified of this decision (or such further period as the department allows). To assist in the internal review process, please provide reasons you consider the 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 addressed to:

Email: [FOI@health.gov.au](mailto: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 FOI Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner (IC).

In accordance with subsection 54S(1) of the FOI Act, an IC review application in relation to a decision covered by subsection 54L(2) (access refusal decisions) must be made in writing within 60 days after the day you are notified of this decision (if you do not request an internal review).

More information about IC review is available on the OAIC website at:

<https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:

Phone: 1300 363 992

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

### **Complaints**

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

#### Complaint 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:

<https://www.health.gov.au/about-us/contact-us/complaints>

#### Complaint to the IC

Information about making a complaint to the IC about action taken by the department is available on the OAIC website:

<https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>

**Relevant provisions of the FOI Act**

The FOI 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/C2021C00311>

**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](mailto:FOI@health.gov.au).

Yours sincerely



Carolyn Paterson  
Assistant Secretary  
Office of Health Protection and Response

28 September 2021