



Dear 

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by ACT Health Directorate (ACTHD) and also transferred from Chief Minister Andrew Barr on **Monday 28 June 2021**.

This application requested access to:

'All records in the possession, custody or control of the ACT Department of Health describing the

- health and safety of living human beings wearing masks, specifically including but not limited to long-term effects on the brain, skin, and overall natural human immune system;*
- efficacy of living human beings wearing masks, specifically including but not limited to the efficacy of masks in preventing the human to human transmission of viruses and other pathogens; and*
- detailing the types of masks that were tested, the type of scientific study, and the detailed results of those studies specifically including long term impacts.'*

The FOI Team wrote to you on **Thursday 1 July 2021** notifying you they required further clarification and if there were specific documents and/or information you were after within a particular timeframe. You responded that same day with a revised scope requesting access to:

'I am interested in to see all the scientific and/or medical studies showing safety and efficacy of masks that were considered by the ACT government during/as part of the decision making process which has resulted in the current mask mandate.'

I am an Information Officer appointed by the Director-General of ACT Health Directorate (ACTHD) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. ACTHD was required to provide a decision on your access application by **Thursday 29 July 2021**.

Decisions

ACTHD does not hold documents relevant to the scope of your application. The decision in mandating the use of masks was deemed to be a necessary public health control measure to reduce the transmission of any potential COVID-19 cases and to be consistent with surrounding regional New South Wales.

The Australian Health Protection Principal Committee (AHPPC), the expert public health decision-making committee to the Australian government during the COVID-19 epidemic, has been advising the national cabinet on necessary public health control measures to reduce the transmission of COVID-19. These public health measures have been introduced by all Australian jurisdictions to reduce the transmission of COVID-19. Masks are one line of defence against COVID-19 along with physical distancing, hand and respiratory hygiene, staying at home if unwell, and getting tested if you have symptoms. These public health measures have been introduced by all Australian jurisdictions to reduce the transmission of COVID-19.

The use of masks as an infection control measure has existed in some form since the middle ages, and masks are an internationally recognised method for preventing the transmission of respiratory viruses. Given the evidence on mask use for prevention for respiratory illnesses has been thoroughly tested over many decades, face masks form a key part of pandemic planning both within Australia and internationally.

The World Health Organization has endorsed the use of masks as part of the COVID-19 response, with the following advice:

Masks are a key measure to suppress transmission and save lives. Masks should be used as part of a comprehensive 'Do it all!' approach including physical distancing, avoiding crowded, closed and close-contact settings, good ventilation, cleaning hands, covering sneezes and coughs, and more. Depending on the type, masks can be used for either protection of healthy persons or to prevent onward transmission.

Like most respiratory viruses, SARS-CoV-2 (the virus that causes COVID-19) is mainly spread by exposure of respiratory mucosae to virus-containing droplets. An infected person produces these when they speak, cough or sneeze. A mask can protect individuals by decreasing the spread of infected respiratory secretions. For the reasons outlined above ACTHD cannot provide specific scientific studies considered by the ACT government in the decision to implement the current short term mask mandate. There are a range of expert, peer reviewed studies publicly available about the effectiveness of masks, including as a measure to protect against COVID, if you require further information.

We are aware that not everyone can wear a mask safely. A person who has a physical or mental health illness or condition, or a disability that makes wearing a fitted face covering unsuitable. These people are not required to wear a mask. Some examples include people with a skin condition, an intellectual disability, autism or past trauma.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, ACTHD maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

<https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: ACTFOI@ombudsman.gov.au
Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email HealthFOI@act.gov.au.

Yours sincerely



Vanessa Dal Molin
Executive Branch Manager
Policy and Support Services, COVID-19

22 July 2021