

E: vtp@gov.scot

Dr Bartholomeus Lakeman

Via email:

request-655858-a271b4ad@whatdotheyknow.com

Our ref: 202000022419

22 September 2020

Dear Dr Lakeman

Following your appeal to the Scottish Information Commissioner about your request for information relating to the scientific evidence that underpins the Scottish Government's actions regarding Covid-19 I have now given some further consideration to parts A2, A3, A4 (in part), C4, D2 and D3. For the avoidance of doubt, I can also confirm that the Scottish Government wish to continue to rely on Section 17(1) (information not held) in response to parts A5, A6, B1-B4, C1, C2 and C3 of your request.

It may be helpful if I first clarify that the Scottish Government, National Records of Scotland and Public Health Scotland are all separate public entities and as such are separate public authorities for the purposes of FOISA. In responding to your request we can only consider the information held by the Scottish Government. Where the information is not held by the Scottish Government, we have signposted you to the public authority who, if the information exists, would be most likely to hold it.

Further information on the roles and responsibilities of each organisation can be found:

Scottish Government – <https://www.gov.scot/about/>

National Records of Scotland - <https://www.nrscotland.gov.uk/about-us>

Public Health Scotland - <https://publichealthscotland.scot/>

Part A2 and A3

Please provide data proving the validity of the Gov- measurements to the COVID crisis, its reasons thereof, and whether the implications of said measurements are justifiable.

2) Of the confirmed case: How many are free from other morbidities?

3) Of the confirmed case: How many of them are under the age of 75?

The Scottish Government no longer wish to rely on section 25(1) in relation to your requests A2 and A3. We initially responded to these parts of your request under section 25(1) because we were aware that some of the information requested was publically available. However, on further consideration of this information, I can confirm that we were not entitled to respond to these parts under section 25(1) because although the information is publically available it is not also held by the Scottish Government.

The Scottish Government does not have this information because statistical information in the level of detail requested is not held by the Scottish Government. As far as we are aware this specific statistical data is not recorded, however if it is it would fall within the responsibility of National Records of Scotland to report.

This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested in parts A2 and A3 of your request.

Request A4

4) Of the 'confirmed cases': **how many is done by its test**, and how many been confirmed by the Doctors interpretations of patients' symptomatology: and how did the Dr count? **As of the 'confirmed' cases; what or who determinate the validity?**

I can confirm that we wish to continue to rely on section 25(1) of FOISA as set out in our initial response, but have determined that we are only entitled to apply this exemption to the parts of request A4 highlighted in yellow above as this is the information held by the Scottish Government.

In responding to this part, in relation to the information held by the Scottish Government, I acknowledge that along with the statement 'confirmed cases are published on SG website' we could have been more helpful in providing the direct link to the confirmed cases by test - <https://www.gov.scot/publications/coronavirus-covid-19-daily-data-for-scotland/>. I also acknowledge that we could have more clearly set out that the validity of these 'confirmed cases' was determined by a positive NHS Laboratory test result.

In addition, we provided information in relation to the reports available from Public Health Scotland and NRS because the Scottish Government do not hold information on the wider cases where no test has been confirmed, or how or who determines validity. In these cases because responsibility falls to Public Health Scotland and the National Records of Scotland.

I acknowledge that we should have provided a formal notice under section 17(1) of FOISA that the Scottish Government does not hold some of the information you requested in this part. In addition, our response could have been more helpful in providing direct links to the following publications:

Public Health Scotland (formerly Health Protection Scotland) are responsible for the monitoring and surveillance of diseases and regularly publish updated figures. These can be accessed here:

<https://www.publichealthscotland.scot/our-areas-of-work/sharing-our-data-and-intelligence/coronavirus-covid-19-data-and-guidance/>

Death registration data can be found at the following link
<https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/general-publications/weekly-and-monthly-data-on-births-and-deaths/deaths-involving-coronavirus-covid-19-in-scotland>

Request C4 and D2

C. Neil Ferguson advised the PM Johnson: Reducing the COVID-19 mortality number from 500,000 to 250,000 , by a range of quarantine measures: How to know said advice' validity:

4) Reg- the current quarantine measures for vulnerable people: Is there a risk assessment?

D. The justifiableness of the Government's measurements;

2) Reg- said measurements; Is there made sufficient risks assessment: E.g. its resulting fear compromising vulnerable peoples' immune system?

In responding to this part of your request, we provided some general information on reports of PHS. I acknowledge that this did not address the specific question on whether a risk assessment exists and if it does whether it is held by the Scottish Government.

This is a formal notice under section 17(1) of FOSIA confirming that a risk assessment on the current quarantine measures for vulnerable people is not held by the Scottish Government.

Request D3

In our response we provided some information on vaccine development, however I acknowledge that this did not address the specific question set out in this part of the request.

3) And considerations towards that said fear will result in accepting vaccines that are insufficient tested and might increase viruses mutation rate: these increasing the risks?

This is a formal notice under section 17(1) of FOSIA confirming that we do not hold any recorded information which sets out the risks of the vaccine development increasing the risk of mutation/transmission. Vaccine development and testing was in its infancy and the work on vaccine development is being taken forward by a number of different organisations with UK funding to support the work.

In addition to the information provided above, you may also be find it helpful to note that a collection of documents have been published to support the routemap out of lockdown. This information was not held at the time of your request but can be viewed here
<https://www.gov.scot/collections/coronavirus-covid-19-scotlands-route-map/>.

I hope this information is helpful.

Kind regards

ANNETTE STUART

Policy Officer – Vaccinations Division