

**Private & Confidential**

[REDACTED]

29 March 2022

**Our Ref. FOIR 027 022**

**Re: – FOI Decision (Refuse)**

Dear [REDACTED]

I refer your recent request under the Freedom of Information Act (FOI Act) 2014. The request was the following:

1. Has the NPHET carried out an up to date evidence based risk assessment and risk/benefit analysis regarding the imposition of mask mandates in retail and other settings, particularly bearing in mind the recent lifting of restrictions by government.
2. Has the NPHET carried out an up to date evidence based risk assessment and risk/benefit analysis with regard to the continuing imposition of face mask wearing by children in schools and other settings?
3. Has the NPHET requested an up to date report from HIQA with regard to the continuing imposition of face mask wearing by children in schools and other settings?
4. If the NPHET has not requested an up to date report from HIQA with regard to the continuing imposition of face mask wearing by children in schools and other settings, why have they not done so?
5. What is the expertise/qualifications of the members of NPHET which qualifies them to make such decisions and recommendations with regarding the Health and wellbeing of children?
6. What studies and data have been relied upon by the NPHET to form the basis for the statement that “Covid-19 still poses a risk to public health” and that “The evolution of Sars-CoV-2 can be expected to continue, Omicron is unlikely to be the last Variant of Concern (VOC) we will have to face, and the global public health risk remains very high.”
7. On what published studies and recorded data precisely does the NPHET rely to ground the statement that the Omicron Variant is a Variant Of Concern?
8. On what basis does the NPHET state that mask use should continue in schools and other settings, in view of the removal of the requirement in the UK and many other countries?
9. Is the NPHET and Department Of Health prepared to be transparent with the public and publish all data, studies, assessments, reports and any other documentation or global public health advice relied upon to continue to impose restrictions on the Irish people in this manner?

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I emailed you on 10 February 2022 to attempt to agree a more specific description of the records involved, which we would then use to identify the actual records which relate to your request. I wrote to you again on 21 February 2022 to explain formally that your request did not contain sufficient particulars to enable the records sought to be identified and to offer further assistance to you with your request.

I have now made a final decision to refuse your request based on Section 12(1)(b) of the Freedom of Information Act.

Section 12(1)(b), of the Freedom of Information (FOI) Act, requires that you, the requester, give us 'sufficient particulars' to enable us to identify the records you require. We are then required to take 'reasonable steps' to identify and locate those records.

- 12. (1) A person who wishes to exercise the right of access shall make a request, in writing or in such other form as may be determined, addressed to the head of the FOI body concerned for access to the record concerned—**  
**(b) containing sufficient particulars in relation to the information concerned to enable the record to be identified by the taking of reasonable steps,**

## **Rights of appeal**

If you are unhappy with this decision you may seek an internal review. In the event that you wish to do so, please e-mail [foi@hiqa.ie](mailto:foi@hiqa.ie). The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of HIQA. Please note that a fee of €30 (€10 for medical card holders) applies in the case of an internal review.

You should make your appeal within 4 weeks, from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances.

## **Publication**

It is the policy of HIQA to make decisions on non-personal FOI requests, including this decision letter and a copy of the records released, available to the public on our website <https://www.hiqa.ie/about-us/freedom-of-information>. Any personal information relating to you, such as your name etc. will be removed from the decision letter before this happens. This decision letter and the records released under FOI, will be added to our website approximately one week after today's date.

If you have any queries in relation to this decision, please feel free to contact me on [foi@hiqa.ie](mailto:foi@hiqa.ie) or 085 8050586

Yours sincerely,

Sean Lynch  
Freedom of Information Officer