
FOI request to University of British Columbia re: "SARS-COV-2" purification

Christine Massey <cmssyc@gmail.com>
To: access.and.privacy@ubc.ca

Mon, Nov 15, 2021 at 11:24 AM

November 15, 2021

Freedom of Information Specialist
The University of British Columbia
Office of the University Counsel
6328 Memorial Road
Vancouver BC V6T 1Z2
Submitted via email to: access.and.privacy@ubc.ca

Dear FIPPA Coordinator,

This is a formal request for access to general records, made under the *Freedom of Information and Protection of Privacy Act*.

Description of Requested Records:

All studies and/or reports in the possession, custody or control of Professor Steven Pelech (Division of Neurology | Department of Medicine) and/or the University of British Columbia's President, Faculties, Vice-Chancellor, Senate, Officers, Executive Board, Secretary, Office of the University Counsel or any health or science department head at the University of British Columbia describing the purification of the alleged "COVID-19 virus" (aka "SARS-COV-2", including any alleged "variants") directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka Vero cells; fetal bovine serum).

Clarification of my request:

Please note that I am not requesting studies/reports where researchers failed to purify the suspected "virus" and instead:

- cultured something, and/or
- performed an amplification test (i.e. PCR), and/or
- fabricated a genome from sequences detected in an impure substance, and/or
- produced electron microscopy images of unpurified things.

I am already aware that according to virus theory a "virus" requires host cells in order to replicate, and am not requesting records that describe replication of a 'virus' without host cells. Nor am I requesting records that describe a strict fulfillment of Koch's Postulates, or records that describe a suspected "virus" floating in a vacuum, or private patient information.

I simply request records that describe purification (separation of the alleged virus from everything else in the patient sample, as per standard laboratory practices for the purification of other very small things).

Please note that my request includes any study/report matching the above description, **authored by anyone, anywhere.**

If any records match the above description of requested records and are currently available in the public domain, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

Format:

Electronic (i.e. pdf) documents sent to me via email; I do not wish for anything to be shipped to me.

Name of applicant and address for correspondence

Last name: Massey
First name: Christine
Email: cmssyc@gmail.com

Thank you in advance and best wishes,
Christine Massey, M.Sc.



Christine Massey <cmssyc@gmail.com>

FOI Request – UBC File 21-323 – Acknowledgement

UBC Access and Privacy <access.and.privacy@ubc.ca>
To: "cmssyc@gmail.com" <cmssyc@gmail.com>

Wed, Nov 17, 2021 at 8:06 PM

To: Christine Massey

-

RE: *Freedom of Information and Protection of Privacy Act* (the "Act")

Request for Records

UBC received your request for records on November 15, 2021 for the following:

All studies and/or reports in the possession, custody, or control of Professor Steven Pelech and/or the University of British Columbia's President, Faculties, Vice-Chancellor, Senate, Officers, Executive Board, Secretary, Office of the University Counsel or any health or science department head at the University of British Columbia describing the purification of the COVID-19 virus (SARS-COV-2, including variants) directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material.

You note you are not requesting studies and/or reports where purification failed or was not performed.

We will make every effort to provide the records to which you are entitled under the Act. The Act allows 30 working days for UBC to respond to your request, although we are allowed to extend this time under some circumstances. The initial 30-day time period for responding to this request ends on **December 27, 2021**.

Any further correspondence should be sent directly to our office by e-mail, quoting our file number **21-323**.

If you have any questions during the processing of your request, please contact me.

Sincerely,

Maren King | FOI Assistant

The University of British Columbia | Office of the University Counsel

Information and Privacy | 6328 Memorial Road, Vancouver BC [V6T 1Z2](#)

Ph: [604-827-1731](tel:604-827-1731) | Fax: [604-822-8731](tel:604-822-8731) | maren.king@ubc.ca

Working in the office: Thursday

Working remotely: Monday, Tuesday, Wednesday, and Friday



Christine Massey <cmssyc@gmail.com>

FOI Request - UBC 21-323 - Response

UBC Access and Privacy <access.and.privacy@ubc.ca>
To: "cmssyc@gmail.com" <cmssyc@gmail.com>

Fri, Jul 29, 2022 at 4:40 PM

Dear Christine Massey,

Thank you for your patience. Please find attached our closing letter in response to your request.

If we may be of further assistance, please let us know.

Kind regards,

Maren King | FOI Assistant

The University of British Columbia | Office of the University Counsel

6328 Memorial Road, Vancouver BC V6T 1Z2

Ph: 604-827-1731 | maren.king@ubc.ca

Working remotely: Monday, Wednesday, Friday

Working in the office: Tuesday, Thursday

 **21-323 Response Ltr.pdf**
223K



July 29, 2022

BY EMAIL

Christine Massey
cmssyc@gmail.com

UBC File: 21-323

Dear Ms. Massey:

Re: *Freedom of Information and Protection of Privacy Act (the Act) Request for Records*

The University of British Columbia (UBC) is responding to your request dated November 15, 2021 in which you requested:

“all studies and/or reports in the possession, custody, or control of Professor Steven Pelech and/or the University of British Columbia's President, Faculties, Vice-Chancellor, Senate, Officers, Executive Board, Secretary, Office of the University Counsel or any health or science department head at the University of British Columbia describing the purification of the COVID-19 virus (SARS-COV-2, including variants) directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material. Please note that my request includes any study/report matching the above description, authored by anyone, anywhere.”

As he was named in your request, we asked Dr. Pelech about records. He explained that while his research does focus on some aspects of the SARS-CoV-2 virus, he has never been involved in the isolation of the virus itself. Therefore he has no records responsive to this request.

We also contacted the Director, Vice-President Research & Innovation Portfolio about a possible search of other research ongoing at UBC. He reported that there is no easy way to search the RISE system (the main research administration tool that manages and track research applications) without running many searches manually. In addition the request is so incredibly broad, there is no way to ensure the results would be comprehensive and accurate.

Finally, records containing research materials carried out at a post-secondary educational body such as UBC are outside the scope of the Act under section 3(3)(i). So even if the request was more specific and searchable, the records of unpublished studies and reports would not be released.

Under section 52 of the Act, you have the right to ask the Information and Privacy Commissioner for a review of UBC's response. You must submit your request in writing, including the information listed below, within 30 days upon receipt of this letter to:

Office of the Information and Privacy Commissioner
PO Box 9038, Stn. Prov. Govt. T: 250-387-5629
Victoria, BC V8W 9A4 F: 250-387-1696

W: www.oipc.bc.ca
E: info@oipc.bc.ca

1. Your name, address and telephone number;
2. A copy of your original request for information delivered to UBC;
3. A copy of this letter; and
4. The reasons or grounds upon which you are requesting the review.

If you have any questions after reviewing this letter, please contact me.

Sincerely,

A handwritten signature in black ink that reads "C. Waverick". The signature is written in a cursive, slightly slanted style.

Courtney Waverick
Freedom of Information Manager
Office of the University Counsel



Christine Massey <cmssyc@gmail.com>

FOI Request - UBC 21-323 - Response

Christine Massey <cmssyc@gmail.com>

Wed, Aug 3, 2022 at 3:11 PM

To: UBC Access and Privacy <access.and.privacy@ubc.ca>, courtney.waverick@ubc.ca

Hi Courtney and Maren,

Thank you, but there seems to be a misunderstanding because my FOI included the following sentence:

*"Please note that my request includes any study/report matching the above description, **authored by anyone, anywhere.**"*

My FOI wasn't limited to records authored by someone at U of BC or to records involving a post-secondary educational body.

I require a response that is in accordance with section 8 of the act.

Contents of response

- 8 (1) In a response under section 7, the head of the public body must tell the applicant
- (a) whether or not the applicant is entitled to access to the record or to part of the record,
 - (b) if the applicant is entitled to access, where, when and how access will be given, and
 - (c) if access to the record or to part of the record is refused,
 - (i) the reasons for the refusal and the provision of this Act on which the refusal is based,
 - (ii) the contact information of an officer or employee of the public body who can answer the applicant's questions about the refusal, and
 - (iii) that the applicant may ask for a review under section 53 or 63.

Since this response was already months overdue, I look forward to prompt attention and cooperation on this matter.

Thanks and best wishes,
Christine

[Quoted text hidden]



Christine Massey <cmssyc@gmail.com>

FOI Request - UBC 21-323 - Response

UBC Access and Privacy <access.and.privacy@ubc.ca>
To: "cmssyc@gmail.com" <cmssyc@gmail.com>
Cc: "Waverick, Courtney" <courtney.waverick@ubc.ca>

Mon, Aug 8, 2022 at 11:52 AM

Hello Christine,

Courtney is out of the office, however I've taken a look at your file and will do my best to address your concerns.

In regards to your statement that your request was not limited to records authored by someone at UBC or to records involving a post-secondary institution, we only have jurisdiction over records that are in the custody and control of UBC. In our response letter we detailed who we contacted at UBC and why it was not feasible to conduct a search for such a broad request.

Furthermore, Section 5 of the FIPPA states that an applicant must make a request that (a) "...provides enough detail to enable an experienced employee of the public body, with a reasonable effort, to identify the record sought." It is not practicable to search for all records "authored by anyone, anywhere." If there are specific individuals from whom you would like to request records, you may file a new FOI request.

Otherwise, you have the right to request a review of UBC's response with the Information and Privacy Commissioner. Instructions on how to do so can be found in our response letter.

Kind regards,

Tiffany Fan | FOI Specialist

The University of British Columbia | Office of the University Counsel

[Information and Privacy](#) | 6328 Memorial Road, Vancouver BC **V6T 1Z2**

Ph: 604-822-9734 | Fax: 604-822-8731 | tiffany.fan@ubc.ca

Working in the office: Tuesdays and Thursdays

Working remotely: Mondays, Wednesdays and Fridays

From: Christine Massey <cmssyc@gmail.com>
Sent: Wednesday, August 3, 2022 12:11 PM

8/18/22, 11:33 AM

Gmail - FOI Request - UBC 21-323 - Response

To: UBC Access and Privacy <access.and.privacy@ubc.ca>; Waverick, Courtney <courtney.waverick@ubc.ca>

Subject: Re: FOI Request - UBC 21-323 - Response

[CAUTION: Non-UBC Email]

[Quoted text hidden]



Christine Massey <cmssyc@gmail.com>

FOI Request - UBC 21-323 - Response

Christine Massey <cmssyc@gmail.com>
To: UBC Access and Privacy <access.and.privacy@ubc.ca>
Cc: "Waverick, Courtney" <courtney.waverick@ubc.ca>

Thu, Aug 18, 2022 at 12:05 PM

Hi Tiffany and Courtney,

I'm perfectly aware that you only have jurisdiction over records that are in the custody and control of UBC, which is why I only mentioned records that are in the custody/control of people who work at UBC.

Courtney's response indicates that only 2 people at UBC were approached in regards to my request, which is insufficient.

It also suggests that Steven Pelech would only have records if he were personally involved in isolation of the alleged virus, which is ridiculous.

It also suggests that I requested records of ongoing research and research applications, which is not the case.

It also suggests that any relevant records held by the university must be records containing research materials carried out at a post-secondary educational body, which is not the case.

It also suggests that the records in the Research & Innovation Portfolio are so poorly organized that what should be a simple search is impossible.

With all due respect, the claim in Courtenay's letter that my request is "so incredibly broad" and your insinuation that my request is not detailed enough is ludicrous given that **literally hundreds of institutions** in other 35 countries have already managed to provide their responses (none were able to provide or cite any record of the alleged virus being found and purified from any bodily fluid/tissue on the planet). This includes 49 Canadian institutions, including several universities.

I will be making these emails and the response letters public. If the university would like to provide an updated response, I suggest doing so within the next couple of days.

Best wishes,
Christine

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