

Our reference: **CHSFOI25-26.54**

Dear [REDACTED],

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by Canberra Health Services (the Directorate) on **Friday 15 May 2026**.

This application requested access to:

'I seek access to the following documents held by Canberra Health Services and/or ACT Pathology, dated 1 January 2014 to the date of this application unless otherwise specified:

- *All Human Research Ethics Committee ("HREC") applications, approvals, waivers of consent, conditions, variations, ratifications, and HREC correspondence held by ACT Health HREC, Canberra Health Services, or ACT Pathology that relate to the above publication or to the use of ACT Pathology data, systems, samples, or staff in connection with it.*
- *Any HREC determination, or other formal institutional determination, that the work underlying the article constituted quality assurance, audit, or service evaluation rather*
- *than research, including documentation establishing that any such determination was made in accordance with the NHMRC publication *Ethical Considerations in Quality Assurance and Evaluation Activities* (2014).*
- *All Research Governance Officer (RGO), research integrity, and research governance records, site-specific assessments, and approvals or refusals relating to Professor Peter J Collignon's authorship or co-authorship of the publication while affiliated with ACT Pathology, Canberra Hospital.*
- *All internal Canberra Health Services or ACT Pathology authorisations, approvals, or records of approval for the use of "ACT Pathology, Canberra Hospital" as an authorial affiliation in the publication.*
- *All emails, file notes, and other correspondence held on act.gov.au information systems (including but not limited to the mailbox at Peter.Collignon@act.gov.au) that relate to the drafting, submission, peer review, revision, acceptance, publication, or post-publication management of the article, including correspondence with: (a) co-authors Gary D Lum and Jennifer M B Robson; (b) the editorial office or staff of the *Medical Journal of Australia*; (c) Sullivan Nicolaides Pathology or Sonic Healthcare; (d) NSW Health Pathology or Pathology West – ICPMR Westmead; (e) the Commonwealth Department of Health or Therapeutic Goods Administration; and (f) the Australian National University.*
- *All data sharing agreements, memoranda of understanding, transfer agreements, or equivalent instruments between Canberra Health Services / ACT Pathology and Sullivan Nicolaides Pathology, Sonic Healthcare, NSW Health Pathology / ICPMR Westmead, the Australian National University, or the Commonwealth Department of Health concerning the data, samples, or analyses referenced in the publication.*

- *All records of patient consent (or formal determinations dispensing with consent) relating to the use of identifiable or re-identifiable patient information from ACT Pathology, Canberra Hospital in the publication.*
- *All briefing notes, correspondence, file notes, or other documents prepared by or for ACT Pathology officers concerning the Senate Community Affairs References Committee inquiry into “growing evidence of an emerging tick-borne disease that causes a Lyme-like illness for many Australian patients” in so far as those documents relate to or reference the publication, its authors, or its conclusions.*
- *Any disclosure of interest, conflict of interest declaration, or competing interest record made by Professor Peter J Collignon in connection with the publication, the article’s submission to the Medical Journal of Australia, or his participation in any related external committee, review, working group, or advisory body.*
- *All records of subsequent Canberra Health Services or ACT Pathology review, audit, complaint handling, or correspondence concerning the research integrity or ethics governance of the publication, dated from 1 January 2018 to the date of this application.’*

I am an Information Officer appointed by the Chief Executive Officer of the Directorate under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. The Directorate was required to provide a decision on your access application by **Tuesday 30 June 2026**.

In reaching my access decision, I have taken the following into account:

- The FOI Act;
- The contents of the documents that fall within the scope of your request; and
- The *Human Rights Act 2004*.

Decisions

It is my decision that no information is held within scope of your application by the Directorate in accordance with section 35(1)(b) of the FOI Act.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, the Directorate 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.

Please be aware that no personal information will be included in the published information all other information will be published on <https://www.act.gov.au/open/foi-disclosure-logs/act-health-directorate-and-canberra-health-services-disclosure-logs>.

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 on the Directorate’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
Allara House
15 Constitution Avenue
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



Nic Stevenson
Senior Director
Office of the Chief Executive Officer
Canberra Health Services

30 June 2026