



REX PATRICK
Senator for South Australia

Our ref: NC-SM/RP

The Hon Scott Morrison MP
Prime Minister
House of Representatives
Parliament House
Canberra ACT 2600

Scott

Dear ~~Prime~~ Minister

I write to urge you to give positive consideration to the establishment of a Federal Royal Commission to inquire into and report on Australia's COVID-19 pandemic response.

It is my strong view that a commission of inquiry should be established under the provisions of the *Royal Commissions Act 1902* before the commencement of the caretaker conventions that will apply during the forthcoming Federal election period. The commencement of such an inquiry is now timely and appropriate financial provision for such an inquiry should be made in the forthcoming Federal budget.

As you are aware, the COVID-19 pandemic has presented Australia with some of the biggest public policy challenges Australia has faced since the end of the Second World War. These challenges have extended across the full range of public health policy, economic management, social welfare and international affairs, and have required high levels of consultation and collaboration between the Australian Government, State and Territory Governments, private sector businesses, civil society. The entire Australian population has been impacted by the pandemic and the public has cooperated with governments to a degree only matched by wartime mobilization eight decades ago.

The responses of the Australian Government and the State and Territory governments to COVID-19 have been characterised by both success and innovation, especially in the initial response to the pandemic. There have also been, however, many actions and decisions that have been contested. Extensive public and expert criticism has been levied in relation to a range of matters including but not limited to implementation of border controls and quarantine measures, the procurement and distribution of vaccines, the extent and duration of economic support measures, implementation of support for the aged care sector, and the acquisition and availability of rapid antigen tests in the context of the current Omicron variant wave of the pandemic.

I am sure that you will agree that Australia needs to take stock of the events and decisions of the past two years, especially as the matters in question have involved a highly complex mix of health and wider public policies and have uniquely impacted on the entire Australian population. Indeed, it would be quite extraordinary if the Australian Government did not establish a comprehensive inquiry to examine all aspects of Australia's response to what has been a described as a 'once in a century' global pandemic.

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As you know there have already been several inquiries into aspects of Australia's Covid-19 response including the New South Wales Special Commission of inquiry into the Ruby Princess incident, the Victorian hotel quarantine inquiry and the Victorian coronial inquest into the COVID-19 outbreak at the St Basil's aged care facility. The Senate Select Committee on COVID-19 has also very usefully examined many aspects of our national response to the pandemic. However, the NSW and Victorian inquiries have been narrowly focused on specific issues and the Senate inquiry lacks the full range of powers that would be available to an inquiry established under the provisions of the Royal Commissions Act.

A Royal Commission inquiry would have full powers to examine all aspects of Australia's pandemic response, to identify successes and failures, strengths and weaknesses, and, most importantly, lessons that may be applied in Australia's responses to future pandemics and other events that challenge our national resilience.

Over the past 120 years, some 140 Royal Commissions have been established to inquire into the widest range of important and often controversial matters. Royal Commissions are a regular and vitally important part of the public policy process in Australia, especially to deal with highly complex issues of great importance to our nation.

There is also clear precedent for a Royal Commission to deal with highly sensitive matters during a time of national crisis. The Curtin Government convened a Royal Commission to inquire into highly sensitive matters of national strategy at the height of the Second World War.

In the interests of achieving the widest possible support for a Royal Commission, I would urge you to consult with the Leader of the Opposition, the Hon Anthony Albanese MP, as well as the Premiers and Chief Ministers of the States and Territories, on draft terms of reference of the inquiry. It would also be highly desirable that the draft terms of reference also be made available for public comment before submission of a recommendation is made to the Governor-General to issue a commission under the Royal Commissions Act.

With regard to the membership of a Royal Commission, I would suggest that you give careful consideration to the appointment of several commissioners, ideally led by a senior jurist and including eminent scientific, medical, economic, social policy and public administration experts. It would also be appropriate for the selection of commissioners should also be subject to consultation with the Opposition.

In order that a Royal Commission undertake inquiries through the course of this year, it is also essential that your Government make appropriate financial provision for its operations in the forthcoming Federal budget.

Australia's national pandemic response is an issue that cries out for investigation by a Royal Commission. Only a Royal Commission will have the authority, power and scope to cover the full breadth and depth of issues arising in Australia's COVID-19 response. Only a Royal Commission can pursue a fully independent investigation and deliver authoritative findings to serve as a guide for future policy.

I urge you to take this up as a matter of urgency and act to establish a commission of inquiry before the forthcoming Federal election. I look forward to your early response.

I am forwarding a copy of this letter to the Leader of the Opposition.

Yours sincerely

Rex Patrick

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