

The COVID-19 Royal Commission

We applaud the committee on their vital and important work.

The Committee has requested submissions on the terms of reference of a COVID-19 Royal Commission and we wish to submit the following proposed terms for their consideration.

As a reminder of why a COVID-19 Royal Commission is so important, we need to remember that since World War 2, no event has had greater impact on the global community than the COVID-19 pandemic, whether by way of total mortality, impact on health, economic damage and disruption to everyday life, globally. This equally applies to Australia as it does for every other country, with tens of thousands of directly attributable deaths and potentially many more indirectly given the recent unexplained surge in excess mortality, and with Australian government debt reaching 1 trillion dollars, all directly as a consequence of the pandemic and the responses to it.

It would be a grievous injustice to those who have died during the COVID-19 pandemic, whether directly from virus infection, or indirectly as a consequence of government actions in response to the pandemic, not to have a Royal Commission investigate all aspects of the COVID-19 response, in order to identify systemic failures, deficiencies, and injustices, so as to improve systems and inform a better response to any future pandemic.

We trust that the committee are successful in overcoming resistance from lobbyists seeking to prevent a Royal Commission and thereby avoid accountability for those who made ill-informed, improper, inhuman and, in some cases, unlawful actions, under cover of the COVID-19 pandemic response, to the detriment of the Australian community.

Proposed draft terms of reference

GREETING

RECOGNISING that the COVID-19 pandemic has caused major health, social and economic harms globally

AND that many Australians, businesses, enterprises and institutions have suffered health, social and economic harm as a result of the COVID-19 pandemic.

AND that in addition to the harms caused by the virus itself, harms may have been unnecessarily caused and/or magnified by the actions and inactions of governments and their affiliated committees, bodies, and institutions, including the Australian federal and state governments and their affiliated committees, bodies, and institutions, including TGA, AHPPC, AHPRA, ATAGI, HMM, MRFF, NHMRC, the COVID-19 Vaccines and Treatments for Australia – Science and Industry Technical Advisory Group, the Australian Academy of Science, the Australian Medical Association, the Royal Colleges, and Australia Universities and Research Institutes.

AND that governments and their affiliated committees, bodies, and institutions, including the Australian federal and state governments and their affiliated committees, bodies, and institutions, including TGA, AHPPC, AHPRA, ATAGI, HMM, MRFF, NHMRC, the COVID-19 Vaccines and Treatments for Australia – Science and Industry Technical Advisory Group, the Australian Academy of Science, the Australian Medical Association, the Royal Colleges, and

Australia Universities and Research Institutes in their responses to the COVID-19 pandemic had a duty to act lawfully and with integrity and honesty and in the best interests of the health and wellbeing of the Australian community.

AND that in addition to the harms caused by the virus itself, harms may have been unnecessarily caused and/or magnified by the actions and inactions of supranational bodies such as the World Health Organisation, Gates Foundation, Coalition of Epidemic Preparedness, and their affiliated committees, bodies, and institutions.

AND that the Australian community is entitled to be free of all forms of disinformation, propaganda, selective bias, and censorship campaigns conducted by governments, institutions and other bodies they fund and support including the Australian media.

AND that Australians have a right to live and participate in safe environments free from government victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, corruption, and malfeasance.

AND Australia has international obligations to take appropriate legislative, administrative and other measures to promote basic human rights.

AND all Australian Governments have expended considerable funding on their COVID-19 activities and have implemented laws as part of their COVID-19 response and need to be held accountable to the Australian public for this use of taxpayer funds and enactment of laws that may have negatively impacted on members of the Australian community.

AND it is important that all victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, misuse of public funds, corruption, and malfeasance in all settings and contexts of the COVID-19 response are exposed and examined, including through the sharing of individual and organisational experiences.

AND it is important that members of the Australian community are central to processes that inform best practice decision-making on what all Australian Governments and others can do to prevent and respond to victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, misuse of public funds, corruption, and malfeasance in future pandemic responses.

AND all Australian Governments have expressed their support for, and undertaken to cooperate with, your inquiry.

NOW THEREFORE We do, by these Our Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on the advice of the Federal Executive Council and under the Constitution of the Commonwealth of Australia, the *Royal Commissions Act 1902* and every other enabling power, appoint you to be a Commission of inquiry, and require and authorise you to inquire into the following matters:

- (a) what governments, institutions and the community should do to prevent future pandemic response victimisation, violence, abuse, neglect, exploitation,

- misinformation, censorship, oppression, misuse of public funds, corruption, and malfeasance in future pandemics having regard to the extent of victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, corruption, and malfeasance as experienced during the COVID-19 pandemic;
- (b) what governments, institutions and the community should do to achieve best practice to encourage reporting of, and effective investigations of and responses to pandemic response victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, misuse of public funds, corruption, and malfeasance including addressing failures in, and impediments to, reporting, investigating and responding to such conduct;
 - (c) what should be done to investigate the true origins of the SARS-CoV-2 virus, and what role Australian scientists, institutions and policymakers might have had in generating, contributing to and disseminating false and misleading information with respect to the potential origins of the pandemic and what external influences persuaded them to engage in promoting misinformation;
 - (d) any matter reasonably incidental to a matter referred to in paragraphs (a) to (c) or that you believe is reasonably relevant to your inquiry.

AND We direct you to make any recommendations arising out of your inquiry that you consider appropriate, including recommendations about any policy, legislative, administrative or structural reforms.

AND, without limiting the scope of your inquiry or the scope of any recommendations arising out of your inquiry that you may consider appropriate, We direct you, for the purposes of your inquiry and recommendations, to have regard to the following matters:

- (e) all forms of COVID-19 pandemic response, victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, corruption, and malfeasance, whatever the setting or context;
- (f) all aspects of quality, safety and lawfulness of actions by governments, institutions and the community with respect to the COVID-19 response, including without restriction, COVID-19 vaccine and drug approvals by the TGA, procurement, contracting, distribution, allocation, and wastage of COVID-19 vaccines and drugs, recommendations, advertising, and promotion of COVID-19 vaccines and drugs, imposition and impacts of vaccine mandates including by government agencies and private employers; policies for vaccine exemptions, discrimination against and exclusion policies directed at unvaccinated individuals,
- (g) the critical role individual doctors play in providing advice on safety and suitability of vaccines or drugs to people under their care and the importance that by governments or its agencies not interfere in the health practitioner-patient relationship;
- (h) the role of the TGA in promotion the community of drugs and/or vaccines that TGA is also responsible for regulating and their role in dissemination of potential misinformation on vaccines and drugs through government media campaigns, thereby demonstrating a lack of independence to government

- (i) The role of governments and their agencies in the selective censoring of mainstream media and social media, and the silencing of clinicians, scientists and other expert commentators questioning official COVID-19 policies and actions.
- (j) The role of government agencies such as ATAGI in the COVID-19 response including but not restricted to the use and misuse of ATAGI recommendations in the imposition and maintenance of vaccine mandates by government and private organisations, including but not restricted to ATAGI's recommendations with respect to restricting the scope and nature of vaccine exemptions able to be granted.
- (k) The role of government agencies such as AHPRA in assisting the government in the censorship and suppression of health practitioners right to provide unbiased and truthful advice to their patients, and their right to publicly express their personal views on government COVID-19 policies and actions.
- (l) the role of government funding agencies including MRFF and NHMRC in funding of COVID-19 projects, and whether there was biased and prejudicial grant determinations, with selective funding of projects proposed by investigators publicly supporting the government's COVID-19 policies and non-funding of projects proposed by investigators critical in any way of the government's COVID-19 policies
- (m) whether government lockdowns, travel restrictions, COVID-19 funding, vaccine procurement, vaccine mandates, breached national and international laws and treaties in respect to civil rights
- (n) whether mandates of still-experimental vaccine given emergency use approval under the TGA's provisional approval pathway breached national and international laws prohibiting the forced use of experimental treatments
- (o) whether mandates of vaccines approved under the TGA's provisional approval pathway breached national and international laws prohibiting the administration of medical treatments without full informed consent
- (p) whether the lack of transparency and concealed processes in the awarding of COVID-19 grant and COVID-19 procurement contracts breached national corruption laws
- (q) the role of supranational bodies including without restriction, WHO and CEPI, in influencing Australia's COVID-19 response, to the potential detriment of the Australian community and what future mechanisms might be required to prevent supranational bodies such as WHO and CEPI from adversely affecting future Australian pandemic responses
- (r) the role of Australian Universities and Institutes in providing and promoting false and misleading information to the community and in censoring and silencing debate on the appropriateness and scientific support for government COVID-19 policies and actions, and thereby in suppression of academic freedom
- (s) the findings and recommendations of previous relevant reports and inquiries.

AND, without limiting the scope of your inquiry or the scope of any recommendations arising out of your inquiry that you may consider appropriate, We direct you, for the purposes of your inquiry and recommendations, to consider the following matters, and We authorise you, as you consider appropriate, having regard to the date by which you are required to submit your final report, to take (or refrain from taking) any action arising out of your consideration:

- (t) the need to establish appropriate arrangements for people undergoing or at threat of victimisation, to engage with your inquiry and to provide evidence to you, and share information with you, about their experiences;
- (u) the need to focus your inquiry and recommendations on systemic issues, recognising nevertheless that you will be informed by individual experiences and may need to make referrals to appropriate authorities;
- (v) the need to establish mechanisms to facilitate the timely communication of information, or the furnishing of evidence, documents or things, in accordance with section 6P of the *Royal Commissions Act 1902* or any other relevant law, including, for example, for the purpose of enabling the timely investigation and prosecution of offences;
- (w) the need to ensure that evidence that may be received by you that identifies particular individuals or entities as having been subject to victimisation, violence, abuse, neglect, exploitation, misinformation, censorship, oppression, corruption, and malfeasance is dealt with in a way that does not prejudice current or future criminal or civil proceedings or other contemporaneous inquiries;
- (x) the need to establish appropriate arrangements in relation to current and previous inquiries, in Australia and elsewhere, for evidence and information to be shared with you in ways consistent with relevant obligations so that the work of those inquiries, including, with any necessary consents, the testimony of witnesses, can be taken into account by you in a way that avoids unnecessary duplication, improves efficiency and avoids unnecessary trauma to witnesses.