

Briefing

Information on the Royal Commission of Inquiry into COVID-19 Lessons Learned

Date due to MO:	26 February 2024	Action required by:	<N/A>
Security level:	IN CONFIDENCE	Health Report number:	H2024036181
To:	Hon Casey Costello, Associate Minister of Health		
Consulted:	Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/>		

Contact for telephone discussion

Name	Position	Telephone
Maree Roberts	Deputy Director-General, Strategy, Policy and Legislation	s 9(2)(a)
Stephen Glover	Group Manager, COVID-19 Strategy, Legislation and Royal Commission, Strategy, Policy and Legislation	s 9(2)(a)

Minister's office to complete:

- | | | |
|---|------------------------------------|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Decline | <input type="checkbox"/> Noted |
| <input type="checkbox"/> Needs change | <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn | |

Comment:

Information on the Royal Commission of Inquiry into COVID-19 Lessons Learned

Security level: IN CONFIDENCE **Date:** 2626 February 2024

To: Hon Casey Costello, Associate Minister of Health

Purpose of report

1. This briefing provides an overview of the Ministry of Health's role in contributing to the Royal Commission of Inquiry into COVID-19 Lessons Learned (the Inquiry).
2. This briefing also provides background information relating to the scope of the Inquiry, its current status, and how other countries are managing their own inquiries into the COVID-19 response.

Recommendations

We recommend you:

- a) **Note** the contents of this briefing. **Yes/No**



Dr Diana Sarfati
Director-General of Health
Te Tumu Whakarae mō te Hauora
Date: 23 February 2024

Hon Casey Costello
Associate Minister of Health
Date:

Briefing on the Royal Commission of Inquiry into COVID-19 Lessons Learned

Background

1. The Royal Commission of Inquiry into COVID-19 Lessons Learned was announced by the previous Government on 8 December 2022 and was established under the Inquiries Act 2013.
2. The Inquiry is administered by the Department of Internal Affairs (DIA). It is currently set to report by 30 September 2024 at an estimated cost of \$9-\$13 million.
3. The Commission is led by:
 - a. Professor Tony Blakely, specialist in epidemiology and public health, Research Professor, Population Interventions Unit and Scalable Health Intervention Evaluation (SHINE), Centre for Epidemiology and Biostatistics, Melbourne School of Population and Global Health, University of Melbourne
 - b. John Whitehead, CNZM, KStJ, of Wellington, economist, former Secretary of the Treasury, former Executive Director on the Board of the World Bank Group, and current Chancellor and Board Chair of the Order of St. John.
4. Former Commissioner, Hon Hekia Parata, resigned from the Inquiry in November 2023.

Terms of reference

5. The Inquiry is operating to the Terms of Reference set out in the Royal Commission of Inquiry (COVID-19 Lessons) Order 2022. It includes the purpose, scope, matters upon which recommendations are sought, and limits to the Inquiry's scope in some areas. In particular, the Inquiry:
 - a. is directed to examine the lessons learned from the response to COVID-19 that should be applied in preparation for any future pandemic
 - b. should make recommendations on the public health strategies and supporting economic and other measures that New Zealand should apply in preparation for any future pandemic
 - c. must comply with the principles of natural justice and avoid unnecessary delay or costs
 - d. must operate in a way that does not take a legalistic and adversarial approach, uses information that is publicly available (where possible), and uses the most efficient and least formal procedures to gather any further information.
6. As a result, the Inquiry has been taking a non-adversarial approach and, rather than looking to find fault or assign blame, has focused on capturing the lessons learned from the pandemic so that New Zealand is better prepared for the future. The Inquiry has held private 'free and frank' meetings and interviews to gather evidence to inform its findings. The Inquiry had not intended to hold public hearings.

7. The Inquiry is currently seeking public submissions, as part of its evidence gathering stage. Submitters have been asked via the COVID-19 Inquiry website to share their COVID-19 experience and their views on what New Zealand should do to prepare for future pandemics. The public has also been asked to provide feedback on expanding the Inquiry's scope.
8. **Appendix One** outlines the key features of inquiries established overseas to illustrate how our Inquiry compares internationally.

s 9(2)(ba)(ii)

PROACTIVELY RELEASED

s 9(2)(ba)(ii)

11.

Work anticipated over the next few months


s 9(2)(ba)(ii)

13. The Commissioners may also request specific further information for clarification, or to fill gaps in its evidence base. As the Inquiry finalises its report (assuming the current deadline of 30 September 2024), we also expect to carry out natural justice and evidence checks to ensure the Inquiry is assured in the accuracy and fairness of its findings.

Process for any changes to the Inquiry's Terms of Reference

14. The Minister of Internal Affairs (Hon von Velden) will lead advice to Cabinet on any proposed changes to the scope and Terms of Reference for the Inquiry. Working forward from 24 March 2024 (when submissions close), we might expect that:

s 9(2)(g)(i)



Appointment of a new Commissioner

15. Following Hon Hekia Parata's resignation in November 2023, there is scope to appoint one (or more) new Commissioner(s). The Inquiry originally had 3 Commissioners to reflect the volume and breadth of issues to be examined. A new Commissioner would help share the workload and could bring expertise relevant to the revised scope and terms of reference.
16. The Minister of Internal Affairs (Hon von Velden) will lead advice to Cabinet on any proposals for a new Commissioner. We understand advice on this matter could be brought to Cabinet around the same time as the advice on the Inquiry's terms of reference.

Next steps

17. We will inform you of any evidence that the Ministry will be providing to the Inquiry.
18. We are available to meet with you if you would like to discuss the matters in this briefing.

ENDS.

Appendix One: *International Comparisons*

The following information outlines the key features of inquiries established overseas as a demonstration of how our Inquiry compares internationally. The countries included have been selected due to our proximity, Westminster Government system, and/or similarities in the management of COVID-19 throughout the pandemic.

International Inquiry	Key Features
<p>Australia: Commonwealth Government COVID-19 Response Inquiry</p>	<ul style="list-style-type: none"> • The final report was released by the Inquiry in April 2022 and made recommendations to improve response measures in the event of future pandemics. • The report covers areas where there was: <ul style="list-style-type: none"> ○ a ‘failure to plan’, relating to readiness for a pandemic, border management, PPE, aged care, vaccine supply and rollout, people with a disability, and the healthcare system ○ where there was a ‘failure to take responsibility’ regarding quarantine, overseas Australians, booster rollout, and dangerous/divisive messaging ○ ‘failure to get it right’ regarding economic assistance, vulnerable populations (First Nations, aged care, people with disability, children), not enough urgency on vaccines ○ makes recommendations for the future regarding plans for Australian pandemic preparedness. • The report examined a range of areas, including: <ul style="list-style-type: none"> ○ key health response measures (eg across COVID-19 vaccinations and treatments, key medical supplies such as PPE, quarantine facilities and public health messaging) ○ broader health supports for people impacted by COVID-19 and/or lockdowns (eg mental health supports and accesses to screening/other preventative health measures) ○ international policies to support Australians at home and abroad (including international border closures and securing vaccine supply deals with international partners) ○ mechanisms to better target future responses to the needs of particular populations (including across genders, age groups, socio-economic status, geographic location, people with disability, First Nations peoples, and people from culturally diverse communities). • The actions taken unilaterally by state and territory Governments have been considered to be an oversight in the Inquiry’s examination and final report. Many decisions, such as lockdowns, border closures, school closures, mask mandates and vaccination mandates were the domain of state and territory governments.

<p>United Kingdom COVID-19 Inquiry</p>	<ul style="list-style-type: none"> • The primary goal of the United Kingdom (UK) Inquiry is to identify the lessons to be learned to inform preparations for future pandemics across the UK. It is a public inquiry to examine the UK's response to and impact of the COVID-19 pandemic. It will seek to establish facts, find fault, and learn lessons. • The Inquiry was announced in late 2021 and the terms of reference were confirmed in June 2022, both by Boris Johnson in his former capacity as Prime Minister. The Inquiry is led by a former judge. • The Inquiry is conducting public hearings. • The Chair of the Inquiry has the power to compel documents and call witnesses to give evidence under oath. Included in those providing evidence is previous Prime Ministers Boris Johnson and David Cameron. • The Inquiry is expected to run until at least 2026 at an estimated cost of \$300-\$400 million NZD. It is on track to be the UK's most expensive Inquiry to date. • The Inquiry investigates the development, delivery, and impact of therapeutics and vaccines.
<p>Singapore: Government White Paper on Singapore's Response to COVID-19 (Lessons for the next Pandemic)</p>	<ul style="list-style-type: none"> • The paper predominantly provides a narrative of the Singapore Government's response as opposed to an examination • It provides an overview of what they found was done well and an overview of areas they found could have been handled better • It states lessons to be applied to the next pandemic • It does not consider vaccine efficacy, justification of strategies, decision-making structures, and many of the other specific aspects as detailed in the New Zealand terms of reference.

Appendix Two: s 9(2)(ba)(ii)

Appendix Two is withheld under s 9(2)(ba)(ii)

PROACTIVELY RELEASED