Submission to Covid-19 Response Inquiry

15 December 2023

Submitted by Harry Melkonian (PhD Law), Adjunct Fellow,

Term of Reference Addressed:

Key Health Response Measures

**Summary and Introduction**: I am an individual who has carefully followed the development of the various vaccines that were proposed for Covid-19 and the Australian Government's procurement decisions. In terms of Key Health Response Measures, responsible Commonwealth officials made serious errors in choosing vaccines to acquire and compounded the error by refusing to accept new and superior technology until public outrage demanded that corrective steps be taken.

The recommendation is that in the future, decision making not be left in the hands of government staff but that active and current outside researchers be brought into the decision-making process and that the process be more transparent.

**Discussion:** When the pandemic began, decisions had to be made about procuring sufficient quantities of promising vaccines. As there were not any existing Covid-19 vaccines, the government had to make decisions on less than perfect knowledge. A decision was made to prioritise the Oxford/Astra Zeneca vaccine. This turned out to be the wrong horse to back.

The first error was not hedging – in short, our government made look like the smartest man in the room. also did not know which horse to back. So, he backed all of them, committing billions of dollars just to research.

As it turned out, Australia made the incorrect choice by not supporting one of the RNA vaccines being developed by Pfizer and Moderna both in the USA. While RNA vaccines had not been successfully utilised in the past, the underlying science was not new and had been developed many years earlier. Some very talented, younger Australian scientists were also engaged in RNA research and were very positive about the potential. The obstacle to RNA vaccines had been with respect

<sup>&</sup>lt;sup>1</sup>This submission is made in my individual capacity and is not intended to reflect the views of Macquarie University. Disclosure, the author owns a small number of Moderna shares.

to funding. Covid-19 changed that as billions were poured into this promising science.

It is respectfully suggested that the initial decisions made to commit to Oxford/Astra Zeneca were influenced by the fact that some of the administrators and decision-makers were not truly current with RNA technology and they failed to reach out to active researchers to learn exactly how RNA vaccines offered the greatest promise.

Relatively early in the pandemic, one of the RNA vaccine manufacturers, Moderna, announced very promising results. That Moderna and Pfizer were quickly moving into a manufacturing stage was strong evidence that the technology was not only promising but that success was attainable. This was public information.

Instead of being receptive to very exciting early RNA results, some of our decision-makers became stubborn and seemingly angry toward the new technology. This anger raised the prospect that that they may not have fully understood what was emerging.

The second and perhaps most disturbing error was the ostensible refusal of our medical establishment to recognise that they had made the incorrect vaccine choice. In face of scientific evidence to the contrary, we were told that the government's choice was efficacious and robust – but it was not, and the public quickly recognised this. The result was a panic-led procurement of surplus RNA vaccines from countries in Eastern Europe. This should not have happened and would not have occurred if better decisions had been made.

**Recommendations:** In terms of going forward, there are several steps that will enhance the likelihood of better key health responses:

- 1. Do not commit to a single technology. When dealing with an unknown, be more open to significantly backing multiple strategies.
- 2. The coalface of science is led by younger researchers who are building their reputations and who live with new technology and are not wed to more familiar techniques. These scientists should have been given substantial voice in the decision-making process early on. Even as our government was refusing to acknowledge the superiority of RNA technology, some of our active researchers were publicly writing in newspapers that the Australian government was acting contrary to technology. Had they been listened to; errors would have been less likely in the first instance and could have been more easily be rectified.
- 3. Further, the tendency of government to become stubborn and refuse to acknowledge mistakes or incorrect choices cannot be tolerated where public health is at issue. It is unforgiveable that health officials refused to

- acknowledge the safety and overall superiority of the Pfizer and Moderna vaccines even when the fact became obvious to lay people.
- 4. As a teacher as well as a practising lawyer, I am constantly reminded of the creativity, ingenuity, and positive contributions of early-years researchers. We have many fine Australian scientists. We should learn to take advantage of this pool of talent.
- 5. The Covid-19 inquiry should put in place mechanisms whereby younger scientists will be heard and listened to. While seasoned, mature voices have their place, in science, looking toward the future will always win out.

Respectfully submitted,

Harry Melkonian