

15 December 2023

Independent Panel of the Commonwealth Government COVID-19 Response Inquiry  
Department of the Prime Minister and Cabinet  
Email: [COVID-19Inquiry@pmc.gov.au](mailto:COVID-19Inquiry@pmc.gov.au)

Dear Independent Panel,

**IPA Submission to the Commonwealth Government COVID-19 Response Inquiry**

The Institute of Public Affairs (IPA) has prepared this submission to share its analysis with the Independent Panel of the Commonwealth Government COVID-19 Response Inquiry.

**The federal government relied on alarmist modelling that enabled costly lockdowns that imposed inequitable harms on the Australian community**

While lockdowns were imposed directly by state government, these policies were predicated on alarmist assumptions, many of which were generated by the federal government and formed the basis of discussions at intergovernmental forums (National Cabinet). The federal government's own modelling estimated that—under a 'best case scenario'—twenty per cent of Australians would be infected with COVID-19, and that of these infections, one per cent would be fatal, or up to 50,000 deaths. In reality, deaths from COVID, as recorded by the Australian Bureau of Statistics, were 5,372 between 11 March 2020 and 31 March 2022. While government assumed a fatality rate of one per cent, the actual fatality rate was closer to 0.1 per cent, putting the government modelling off by a factor of 10.

The alarmist modelling gave the National Cabinet and the state governments the ammunition to impose lockdowns and avoid any consideration of their consequences. In effect, the federal government discarded carefully prepared plans for responding to an influenza pandemic. Almost all aspects of federal and state policy—interstate border closures (allowed by the Commonwealth), mask mandates, school closures, and mandatory isolation and quarantine—contradicted the evidence-based *Australian Health Management Plan for Pandemic Influenza* written in 2014 and updated in 2019. This plan sought to balance public health priorities with proportionality, and respect for individual rights, responsibilities, and basic freedoms.

Research by the Institute of Public Affairs in 2022 noted lockdowns saved 57,300 years of life between March 2020 and end of 2021, but the years of life that were lost due to joblessness in March and April 2020 alone amounted to 1.8 million, meaning the costs of lockdowns were at least 31 times greater than the benefits.

But not all Australians were affected equally by the various consequences of lockdowns. Throughout the pandemic period, the Institute of Public Affairs noted how lockdowns had a

disproportionate impact on small businesses, low-income workers, and the young. Younger Australians were least at risk from COVID, but were targeted by lockdowns through lost time in schools and social dislocation and isolation. In contrast, jobs in the public sector and big businesses—which are either funded by taxpayers or are large enough to absorb the compliance costs of the regulations—not only survived but increased. The livelihoods of blue-collar workers, who must perform work in person, were threatened while the lives of inner-city professionals were made easier with the encouragement of working from home.<sup>1</sup>

### **The National Cabinet illustrated the consequences of Australia’s broken Federation**

The National Cabinet was established in March 2020 in response to the declared COVID-19 pandemic, to replace the Council of Australia Governments as the primary intergovernmental forum. In practice, the National Cabinet exposed the flaws associated with high levels of political and fiscal centralisation and the prevailing doctrine of ‘co-operative federalism’.

In an ordinary federal system of government, subnational jurisdictions (states) are responsible for delivering policies and government programmes, as well as raising the revenue to finance their policy commitments. Decentralisation is a preferable form of government as it means power is exercised at a level closer to the people affected. Australia’s high level of vertical fiscal imbalance means that while, constitutionally, state governments retain responsibility for various public policy matters—such as public health—it is the Commonwealth government which is mostly responsible for collecting taxation revenue. Vertical fiscal imbalance has given way to the doctrine of ‘co-operative federalism’, which is incompatible with proper federalism because it prioritises consistency across jurisdictions and is inherently dysfunctional as it unrealistically assumes the interests and priorities of various jurisdictions can be made uniform.

The dysfunctional federation created a perverse incentive structure during the declared pandemic. The interests of the state government were solely confined to public health matters, while economic matters, if they were considered, were deferred to the Commonwealth government. Rather than being used as a forum to chart a course out of lockdowns, National Cabinet became the means by which state governments pressured the Commonwealth into continuing to underwrite state policy decisions. Commonwealth schemes, such as Job Keeper, operated as a subsidy paid to businesses to retain employees that otherwise would have been made jobless because of economic and social restrictions imposed as part of state lockdowns.

### **COVID-19 was opportunistically used by federal government officials to engage in censorship and to justify future censorship laws**

The COVID-19 pandemic was characterised by frequent and periodic attempts by government officials to engage in censorship and suppression of public debate. Documents obtained under Freedom of Information requests identified that by May 2023, the federal government had requested social media companies to censor at least 4,213 posts during the declared pandemic.

In a specific example, the public release of 18 emails sent by the Extremism Insights and Communications branch of the Department of Home Affairs (which does not have regulatory

oversight of social media or public health responsibilities) to Twitter collectively demanded 222 posts be taken down, including content that mocked former Victorian premier Daniel Andrews, criticised former Minister for Health Greg Hunt, and content that ‘undermined the confidence in the COVID-19 vaccination program’.

A separate Freedom of Information request revealed the National Incident Room of the federal Department of Health pressured Twitter to remove posts by then-sitting member of parliament Craig Kelly that criticised former Premier of New South Wales Gladys Berejiklian. Department staff, who were on friendly terms with Facebook moderators, asked the social media company to remove from its platform an anti-vaccine group ‘before it got too many more [members]’ and to shut down people sharing information about an anti-vaccine protest.

Concerningly, the pandemic has also been used as justification for reforms to enable future censorship. The Australian Communication and Media Authority’s *Report to Government on the Adequacy of Digital Platforms’ Disinformation and New Quality Measures* (June 2021) specifically cites ‘anti-lockdown conversations’ as an example of a ‘misinformation narrative’ that would justify the government legislating new anti-misinformation laws. Lockdowns were a policy option, and being opposed to a policy option is not a question of fact or truth: it is an opinion. The ACMA report, and the actions of government officials during the pandemic, illustrate that misinformation and disinformation laws would not be used to arbitrate fact from fiction but to align public debate in ways that are politically acceptable.

## **Recommendations**

Future pandemic responses must only be undertaken where state governments bear the fiscal responsibility for the public health measures adopted. Financial decentralisation must be adopted now to avoid a repeat of the mistakes made during the COVID-19 pandemic and to ensure states are responsible and accountable for their actions.

Periods of emergency which are used to justify government intervention across society must not be accompanied by government efforts to suppress public debate. Emergency measures require more debate and scrutiny, not less, and all governments must reject any future attempt to use a pandemic to censor the speech of Australians, or to use the COVID-19 pandemic as a justification for future censorship, such as through the proposed misinformation and disinformation laws.

I thank the Panel for the opportunity to provide this submission and would welcome the opportunity for further consultation or discussion about the IPA’s research and analysis.

Yours sincerely,

**Morgan Begg**  
**Director of Research**

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<sup>1</sup> The findings in this section are derived from analysis published by the IPA since March 2020.