



NSWCCL SUBMISSION

LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

COVID-19 ROYAL COMMISSION

12 January 2024

Acknowledgment

In the spirit of reconciliation, the NSW Council for Civil Liberties acknowledges the Traditional Custodians of Country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all First Nations peoples across Australia. We recognise that sovereignty was never ceded.

About NSW Council for Civil Liberties

NSWCCL is one of Australia's leading human rights and civil liberties organisations, founded in 1963. We are a non-political, non-religious and non-sectarian organisation that champions the rights of all to express their views and beliefs without suppression. We also listen to individual complaints and, through volunteer efforts, attempt to help members of the public with civil liberties problems. We prepare submissions to government, conduct court cases defending infringements of civil liberties, engage regularly in public debates, produce publications, and conduct many other activities.

CCL is a Non-Government Organisation in Special Consultative Status with the Economic and Social Council of the United Nations, by resolution 2006/221 (21 July 2006).

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1. The NSW Council for Civil Liberties (NSWCCL) welcomes the opportunity to make a submission to the Senate Legal and Constitutional Affairs Committee in regard to the terms of reference for a proposed Covid-19 Royal Commission.
2. The NSW Council for Civil Liberties notes that the Prime Minister has in 2023 appointed a 3 member panel to conduct a Commonwealth Government COVID-19 Response Inquiry.
3. It would obviously be desirable, so as to avoid duplication and inefficiency, for any Royal Commission to not duplicate the terms of reference of that Inquiry¹.
4. One matter which is clearly not dealt with in the Government Inquiry, is the extent to which public health interests were adversely affected by misinformation about COVID disseminated by Senator Roberts and people associated or aligned with his views.
5. NSWCCL considers that there could be utility in holding a public inquiry into appropriate means for protecting the public from misleading information which adversely affects public health interests.
6. NSWCCL notes that the government has proposed legislation to provide a mechanism for addressing misleading and deceptive information being spread online. For various reasons, NSWCCL considers that the proposed legislation is unlikely to have any significant impact.
7. Accordingly, there is scope for an inquiry to look into means of protecting the public from misleading information in an effective way.
8. NSWCCL does not consider that such an inquiry should be in the nature of a Royal Commission.
9. Accordingly, NSWCCL submits that the Senate Legal and Constitutional Affairs Committee should determine that it is not appropriate for a Royal Commission to be held in respect of the COVID-19 pandemic.

We trust this submission will be useful to the committee.

Yours sincerely,

Lydia Shelly
President
NSW Council for Civil Liberties

Contact in relation to this submission: Anne Charlton

¹ The terms of reference are available at <https://www.pmc.gov.au/resources/commonwealth-government-covid-19-response-inquiry-terms-reference>