

# We need inquiries into why coronavirus is ravaging long-term care homes

May 25 2020, by Bruce Campbell, Mark Winfield and Pat Armstrong

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Ontario says it will establish a [commission](#) to study the handling of COVID-19 in the province's long-term care sector.

[More than 1,400](#) Ontario long-term care facility residents, and a number of staff, have died of COVID-19 over the past two months. They are among the [more than 3,400 who have died in long-term care centres across the country](#).

The announcement was greeted with [widespread criticism](#) because the province is not convening a formal judicial [inquiry](#) along the lines of those that examined the far less deadly [2000 Walkerton](#) drinking water disaster and [the 2003 SARS](#) outbreak.

Rather, the commission is yet to be defined and seems more likely to be an informal process. Premier Doug Ford [emphatically ruled out a formal inquiry](#), saying that it would take too long to produce recommendations for reforms of the sector.

## Less than stellar response

At the federal level, the situation is only slightly less confusing. While Canada [has managed COVID-19 better](#) than the United States, the United Kingdom, Italy and Spain, its response has nonetheless been less than stellar. [Long-term care](#) along with food processing, specifically [meat-packing](#), are critical points of vulnerability.

COVID-19's impact has raised major questions about pandemic [preparedness](#) and the resiliency of critical, globalized [supply chains](#).

There's also a question of whether Canada should have taken reactive, risk-based approaches to public health threats rather than a more proactive, [precautionary](#) stance. There are more questions still about travel restrictions in the early stages of the pandemic, co-ordination among the federal government, provinces and local health agencies, issues around data and [information access](#) for the public, and the role of the Public Health Agency of Canada, which is itself a legacy of the

SARS outbreak.

So far the federal government has been ambiguous about plans for a review of Canada's overall response to the pandemic. They have referred to the need for a "[national conversation](#)" regarding the situation in the long-term care sector, but few specifics on what that might involve.

The [Auditor General announced](#) her intention to review the [federal government](#)'s preparedness for the pandemic. Various internal and parliamentary reviews are likely to occur as well.

## **Falling short of what's required**

While these steps, including Ontario's proposed commission, are better than nothing, they fall far short of the comprehensive review that's necessary.

The current situation has similarities to another recent disaster —the 2013 [Lac-Mégantic](#) train derailment and fire in which 47 innocent people were killed.

In the aftermath of the accident, there was no formal inquiry at either the federal or provincial levels. But there were civil lawsuits and [criminal trials](#) as well as a [series of investigations](#) and reports: the Transportation Safety Board, the Auditor General, the House of Commons Standing Committee on Transportation and the Québec Coroner's Office.

Although extensive, the overall findings were fragmented. They failed to provide a comprehensive picture of the actions and decisions, both immediate and systemic, leading up to the disaster.

Key people involved in the disaster never testified in public. None of the investigations and reviews had complete access to all of the relevant

information and documents.

## **COVID-19 dwarfs other public health disasters**

The scale of the impact of the COVID-19 pandemic in Canada already dwarfs most previous [public health disasters](#) in modern Canadian history. The situation requires a much more comprehensive review and response than appears to be emerging at the federal level.

A formal public inquiry would be the best way to investigate these questions. Inquiries cannot bring criminal or civil indictments but they can compel senior officials, politicians and senior executives to testify under oath and be cross-examined, and confidential documents from public and private sources can be accessed.

As such, an inquiry is likely the best tool for establishing as full and complete an understanding as possible about what went wrong in Canada's response to COVID-19. This is essential to ensuring that the same mistakes are avoided in the future.

Independent inquiries can serve another critical purpose that other mechanisms cannot: they can help survivors and the families of victims in their grieving and healing processes.

The act of establishing an inquiry is itself a public acknowledgement of the significance of the events and the losses that have occurred.

## **Anti-inquiry forces**

As was the case with [Lac-Mégantic](#), powerful forces will likely be aligned against inquiries, either federal or provincial, into the handling of the COVID-19 pandemic.

Care-home operators and government agencies that were supposed be overseeing their operations, for example, as well political officials past and present who may be concerned that blame will fall on them for whatever failures may be identified, will all have reasons to strongly resist formal inquiries.

Yet, these are the very reasons why formal inquiries are so essential. Inquiries operate outside of normal government structures. This is especially important when, as is the case with COVID-19, there is a need to examine the performance of existing agencies and policies.

The formalized inquiry process is far less vulnerable to internal or external lobbying by the interests and agencies whose performance is under review. An inquiry may also have much greater freedom to engage with new ideas and perspectives than may be possible within existing governmental processes.

Public confidence in inquiries is closely related to their degree of independence from government, in combination with their investigative powers to get to the bottom of a problem.

An inquiry at the federal level will need to co-ordinate with provincial reviews. Separate formal inquiries are clearly needed in Ontario and Québec on the specific question of what went wrong in the long-term care sector, the epicentres of the pandemic in both provinces.

In a world that remains highly globalized, COVID-19 will not be last pandemic Canada faces. It is critically important that we have as complete an understanding as possible of what went wrong this time and what can be done better next time —because there will almost certainly be a next time.

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