

Minutes of the ninety-first meeting of the Advisory Committee on Assisted Reproductive Technology

Held on 24 June 2021, at the Office of the Children's Commissioner, Wellington.

Present

Kathleen Logan (Chair)
Calum Barrett (Deputy Chair)
Rosemary De Luca (by telephone)
Seth Fraser
Karen Reader
Catherine Ryan
Karaitiana Taiuru (online)
Analosa Veukiso-Ulugia
Sarah Wakeman (online)

Non-members present

Mike Legge, ECART Member
Clyde Smith, Ministry of Health (online; morning session)
Eli Toeke, Ministry of Health (online; morning session)
Nic Aagaard, Ministry of Health (online; morning session)
Zoe Benge, ACART Secretariat
Martin Kennedy, ACART Secretariat
Hayley Robertson, ACART Secretariat
Mirae Wilson, ACART Secretariat

1. Welcome

- 1.1 The Chair opened the meeting at 9.00 am and welcomed the ECART member, Mike Legge, and the guests from the Ministry of Health(the Ministry), Clyde Smith and Eli Toeke.
- 1.2 This meeting was held in person with some members joining online or by telephone.
- 1.3 The Children's Commissioner and his colleagues greeted ACART and thanked them for their work.
- 1.4 The Chair advised those present that the morning session would cover the standing items then be followed with a discussion led by the Ministry on Māori interests and participation in the health sector. The Chair then advised members that the afternoon session would be split into two working groups. One working group would consider the draft advice to the Minister of Health on guidelines for posthumous reproduction, and the other group would consider the draft consultation document for guidelines for human reproductive research.

2. Apologies

- 2.1 Nil.

3. Approval of the agenda

- 3.1 Members approved the agenda.

Action

- *Secretariat to add the June agenda to the ACART website.*

4. Declarations of Interests

- 4.1 No conflicts of interest were declared.

5. Minutes of ACART's meeting of April 2021

- 5.1 Members approved the minutes subject to one change.

Action:

- *Secretariat to amend the April minutes as requested.*
- *Secretariat to add the June agenda to the ACART website.*

6. Actions arising from ACART's April meeting

- 6.1 Members noted the status of the actions from the April meeting.

7. Report on ECART's meeting

- 7.1 Members noted the report.

8. ACART roles and obligations under te Tiriti o Waitangi: training

- 8.1 The session began with whakawhanaunatanga (introductions), with all present saying who they are where they are from. Clyde Smith and Eli Toeke from the Ministry led the session.

- 8.2 The session focussed on how the Ministry is articulating its Te Tiriti responsibilities and asked what does it mean for ACART's work? The question for ACART is how can they practically and meaningfully apply it. The importance of understanding te ao Māori and knowledge of our historical and political realities were noted.
- 8.3 A member noted the principle of contra proferentem — giving preference to the interpretation of a document by those who did not write it. This is why we start with the Māori version of treaty/legal documents.
- 8.4 The discussion moved on to ACART's methods of engagement and consultation: in order to communicate effectively with communities, ACART needs easy to read documents and proper dialogue or relationship. Such consultation requires taking account of broad ethical principles and recognising the aspirations of Māori.
- 8.5 There was a discussion about updating ACART's ethical framework to take account of te ao Māori. A suggestion was made to form a sub-group to revise the ethical framework.
- 8.6 A suggestion was also made that members attend a "noho marae" (stay on a marae) for cultural competency training: this would help members to prepare for engagement with Māori when consulting.
- 8.7 The discussion moved on to how ACART can incorporate a Te Tiriti perspective into its work. This matter needs further consideration by ACART.
- 8.8 Members discussed using the Ministry's "Whakamaua: Maori Health Action Plan 2020 - 2025" for improving Māori health to develop different types of communication processes and materials and not relying solely on a discussion document that is emailed to the list of stakeholders.

Actions:

- Form a sub-group to review ACART's ethical framework.
- Discuss how ACART can incorporate a treaty perspective into its work.

9. Advice about the guidelines for posthumous reproduction: consider and request changes

- 9.1 This item was a working group. The output of the discussion will be the advice to the Minister of Health, about posthumous reproduction, that will be presented to the full ACART meeting in August.

10. Consultation document for guidelines for human reproductive research: consider and request changes

- 10.1 This item was a working group. The output of the discussion will be the paper to the full ACART meeting, in August, that will present the next steps for the project.

Extra item: appointments update

- The secretariat advised members that Ministry officials had met Minister Henare (who is responsible for appointments to committees), on Monday, to progress appointments and discuss improvements to the appointments process. The Ministry is drafting a memo for the Minister on improving recruitment to the ethics committees, particularly with a focus on increasing diversity on the ethics

committees.

- For ACART vacancies, the Ministry is providing the appointments team with a list of candidates for the Minister to consider.

The meeting closed at 3:45 pm.