



Minutes of the Sixty Third Meeting of the Advisory Committee on Assisted Reproductive Technology

Held on 14 October 2016 at the Wellington Airport Conference Centre, Wellington

Present

Alison Douglass (Chair)

Mike Legge (Deputy Chair)

Karen Buckingham

Jonathan Darby

Gillian Ferguson

Kathleen Logan

Sue McKenzie

John McMillan

Catherine Poutasi

Barry Smith

Non-members present

Iris Reuecamp (Chair, ECART)

Martin Kennedy (ACART Secretariat)

Isabel Ross (ACART Secretariat)

Eugene Rewi (Manager, Committee Support, Ministry of Health)

1. Welcome

1.1 The Chair welcomed the Committee members and guests.

1.a Opening comments

1.2 Catherine Poutasi spoke about the central role of family for Pasifika peoples and the implications for adults who are childless. Christianity has a strong influence for many Pasifika people. She noted that social surrogacy and adoption are considered acceptable by many Pasifika peoples. Catherine will provide data on the use of fertility treatment in Pacific peoples in the near future, though she observed that as infertility is considered taboo and Pasifika people do not talk about it, data is difficult to find. Catherine noted that in order to provide quality service delivery, providers and the sector need to understand people's culture and where they come from.

1.b Introductions

1.3 Eugene Rewi from the Ministry of Health introduced himself. Eugene manages the Committee Support team and he spoke about the Ministry's proposal to move the team to the Protection, Regulation and Assurance business unit in the Ministry. The details of the move are yet to be confirmed.

1.4 Iris Reuvecamp, Chair of the ECART committee, introduced herself and commented on ECART's current membership and its role. She noted that ECART is seeing an increasing number of applications.

2. Apologies

2.1 There were no apologies.

3. Approval of the agenda

3.1 Members approved the agenda.

Action

- *Secretariat to place the October 2016 agenda on ACART's website.*

4. Declarations of Interests

4.1 There were no declarations of interests.

5. Minutes of ACART's meeting of 12 August 2016

5.1 The minutes were approved with minor amendments.

Action

- *Secretariat to place the August 2016 minutes on ACART's website.*

6. Actions arising from the previous minutes

6.1 Members noted the status of actions arising from the August 2016 meeting.

7. Work programme — current status

7.1 Members noted the status of items on the programme. The Secretariat advised members that it had not received a response from the office of the Associate

Minister about ACART's recent briefing on the guidelines on human reproductive research.

8. ACART's budget, priority work, and the meeting dates for 2017

8.1 The Secretariat explained that the Ministry of Health had confirmed that ACART's budget for the 2016/17 financial year was now more than the Ministry had stated in July. A letter from Gabrielle Baker, at the Ministry, stated the amount for the financial year.

8.2 Members and the Secretariat agreed the meeting dates for the 2017 calendar year. They also noted there is a working group meeting in November 2016.

9. Review of the donation guidelines: comment on the draft guideline and draft discussion document

9.1 The Secretariat noted that the Associate Minister responded to ACART's recent letter based on the Law Commission proposal that birth certificates be amended to include a statement that there could be more information about a person's birth on the Births, Deaths and Marriages register. The response gave two reasons for declining this request. These are that it would be a large cost for a small number of people, and that it could result in negative consequences for children.

9.2 The committee noted its disappointment at the response, and agreed to mention the matter in the forthcoming discussion document for the review of the donations guideline in order to canvas public opinion.

9.3 The Secretariat advised members it had amended the draft, single guideline to take into account the comments members made at the previous meeting. The Secretariat asked members to work through the new version, going through each provision.

9.4 Members requested several amendments to the provisions that would be applicable to all donation scenarios. Matters discussed included:

- the wording that would be suitable to ensure that intending parents had a biological link to a child if possible
- counselling being mandatory, and the opportunity for children to be included in counselling
- when independent legal and medical advice is required
- the provision of interpreters during counselling
- the interpretation of 'need.'

9.5 Members suggested piloting the finished guideline with ECART to check that it covers what it needs to.

Actions

- *Secretariat to amend the draft guideline as requested.*

- *Secretariat to send the amended draft guideline to working group members by e-mail in the next few days so they can comment and the next iteration can be included in the December agenda.*
- *Secretariat to follow up outstanding legal opinion.*

10. Cryopreserved ovarian tissue: comment on the draft advice

- 10.1 Members considered the latest version of the advice to the Minister. In particular, they noted the changes, suggested by the Secretariat, most of which were made to take into account the submissions and ACART's responses to those submissions.
- 10.2 Members discussed whether some of their specific preferences, for when and how treatments could be done, could be incorporated in to the HART Order. Members expressed concern that, as the legislation will be the go-to document, some requirements from the advice could be lost. They also noted it is important to future-proof the legislation as this is a rapidly changing area. Members suggested recommending ACART work with the Ministry of Health on the wording that will be in the Order.
- 10.3 Members asked whether the discussion document proposed excluding the use of cryopreserved ovarian tissue in patients with leukaemia.
- 10.4 There was a discussion about how this procedure involves two-stage consent and the consent of children, and how to reflect this in the advice. It was suggested that as this matter is covered by law the advice should acknowledge the issue exists, but does not need to provide a solution.
- 10.5 Members discussed submissions about equity matters. It was noted that technological advances often exacerbate inequality, as resulting procedures are costly.
- 10.6 Members agreed various editorial changes to the text.

Actions

- *Secretariat to amend the document as requested by the Committee.*
- *Secretariat to send the amended version to the working group by e-mail.*
- *Working group to request any changes.*

11. Guidelines for deceased and comatose reproduction: confirm the project plan

- 11.1 Members noted the working group will meet on Monday, 7 November. The group will report to the full ACART meeting in December.

12. ACART's monitoring role: approve the draft policy statement

- 12.1 The Secretariat presented the draft policy statement and members requested some amendments. The policy should cite the relevant parts of the HART Act and

conclude with a finishing statement. Sue and Catherine offered to review the amended statement.

Action

- *Secretariat to amend the statement as requested.*

13. Therapeutic products bill: an overview and chance to comment

13.1 Members noted that the Ministry of Health is working on this matter and there is potential that the work could investigate areas which are subject to the HART Act. The committee will maintain a watching brief on the Ministry's work.

Action

- *Secretariat to draft a letter to the Ministry noting technologies that might overlap with the HART Act.*

14. Sector day/symposium 2017: consider the content of the day

14.1 Members discussed the purpose of the day and how to ensure the day provides the most benefit for all parties. Members discussed a variety of topics that could be useful, including the "biological link," the challenge of differing world views, societal changes, technological changes, and direct to consumer technology. The main challenges for clinics and counsellors, and the way in which the government can or should respond to changes is an important theme.

14.2 Members noted the importance of ACART using the day to learn from the sector. Members agreed that a small sub-group would draft a likely programme for the day: the sub-group comprises Mike, Barry, Catherine and Alison. Sue also offered to help though she can't be there on the day.

Action

- *Draft a likely programme for the day*

15. Report on the ECART meeting of July 2016

15.1 The committee noted the report.

16. Governance

16.a Chair's report

16.1 The committee noted the report.

16.b Member reports

16.2 Mike Legge commented on his attendance at the recent FSA conference in Perth. He observed that there was significant interest in New Zealand's ACART/ECART approach and the relationship between the two committees, and that it was a good chance to meet the clinics.

17. Secretariat report to ACART

17.1 Members noted the report.

Additional item — farewell for Karen

- This was the final meeting for Karen Buckingham who has now served six consecutive years on the committee. Alison thanked Karen for her contribution.

18. An ACART member to volunteer to be the “member in attendance” at the next ECART meeting

18.1 The member in attendance at ECART’s November meeting will be confirmed in due course.

Action

- *Secretariat to confirm the attendee.*

19. Conclusion of meeting

19.1 The next ACART meeting is scheduled for 9 December 2016 and will be held at the Wellington Airport Conference centre.

19.2 The meeting closed at 2.45pm.