

Minutes of the Eighty-fifth Meeting of the Advisory Committee on Assisted Reproductive Technology

Held on 11 June 2020, online.

Present

Kathleen Logan (Chair)
Colin Gavaghan (Deputy Chair)
Calum Barrett
Jonathan Darby
Sue McKenzie
Karen Reader
Analosa Veukiso-Ulugia
Sarah Wakeman

Non-members present

Martin Kennedy, ACART Secretariat
Hayley Robertson, ACART Secretariat

1. Welcome

- 1.1 The Chair opened the meeting at 9.00am and welcomed the Committee members and Secretariat.
- 1.2 On this occasion, no ECART member attended and the Chair of ACART will give the Chair of ECART an update on the status of ACART's programme.

2. Apologies

- 2.1 None.

3. Approval of the agenda

- 3.1 Members approved the agenda.

Action

- *Secretariat to place the June 2020 agenda on ACART's website.*

4. Declarations of Interests

- 4.1 No declarations.

5. Minutes of ACART's meeting of April 2020

- 5.1 The minutes were approved with minor changes.

Action

- *Secretariat to amend the April minutes, put them on ACART's website, and share with ECART.*

6. Actions arising from ACART's April meeting

- 6.1 Members noted the status of the actions.
- 6.2 The Secretariat advised members it has drafted a letter to fertility clinics asking if they would share demographic data about patients with ACART. The letter will be circulated among members for comment before being sent to the clinics. Similarly, a draft letter to the Fertility Society of Australia asks if they would consider including ethnicity data about patients in their reports. Both letters will be confirmed in the near future.

7. Work programme status

- 7.1 Members noted the status of the work programme and that the Ministry of Health was preparing parallel advice for documents ACART had submitted to the Minister and Associate Minister of Health. Members discussed whether the consultation on the proposed revised guidelines for posthumous reproduction could be done before the election period as the document is ready for publication.
- 7.2 The Chair advised members that she does not yet have a meeting scheduled with Associate Minister Salesa.

8. Report on ECART's February meeting

8.1 Members noted the report.

9. Member reports on papers/research

9.1 No reports this session. Some papers had been circulated between the April and June meetings.

10. The 2016 ANZARD report

10.1 Members discussed the report, noting that the draft foreword will be sent to members out of session for comment, then added to the report. Members discussed ethnicity data and agreed they would add a statement to the foreword that ACART will investigate options for obtaining ethnicity data due to its relevance for equity in healthcare.

10.2 Following approval of the foreword, the Secretariat will finalise the report and advise the Minister of the finalised report so that it can be published on ACART's web page.

Actions

- *Secretariat to complete the foreword*
- *Secretariat to send the foreword to all members*
- *Members to comment on the draft foreword*
- *Secretariat to add the approved foreword to the report*
- *Secretariat to advise the Minister of the finished report and publish.*

11. Governance — Chair's Report

11.1 Members noted the report including an item of correspondence and that appointments to the committee are expected in the near future.

12. Review of the guidelines for posthumous reproduction: update

12.1 Members noted that the consultation document is ready for publication and that it is with Associate Minister of Health Jenny Salesa for her information. The date of publication is yet to be confirmed.

13. The regulatory setting and ACART's functions: a standing document for ACART's website

13.1 Members discussed the draft document and requested some changes and additions. Members agreed it would be useful to add an introduction to the second section explaining that due to changing technology, social norms and laws ACART must keep its guidelines and advice under review. Some members agreed to send proposed wording to the Secretariat.

Actions

- *Secretariat to make the requested changes*
- *Members to send proposed wording as agreed*
- *Secretariat to add the members' new text to the document.*

MEMBERS SEPARATED INTO TWO WORKING GROUPS TO DISCUSS CURRENT PROJECTS

14. Working group on the use of cryopreserved testicular tissue

- 14.1 Members of this working group discussed the current status of the use of cryopreserved testicular tissue and the benefits of amending the Human Assisted Reproductive Technology Order to explicitly state that the use of such tissue is an established procedure. Members noted the draft consultation document and considered the document alongside ACART's ethical framework and checklist.
- 14.2 The working group members noted that the retrieval and subsequent freezing of cryopreserved testicular tissue is a mainstream procedure likely undertaken daily across the country.
- 14.3 The need for a mechanism for storage under the ten year period was discussed. It was thought that if cryopreserved testicular tissue was being extracted and frozen for fertility preservation, then the statutory limit of ten years is likely too short. Working group members discussed whether to ask the public about the ten year storage limit, in particular if there might be good reason to remove or amend the limit or if it is better to keep the legislation standardised.
- 14.4 Members also considered if there was a need for early consultation with any particular groups.
- 14.5 Members noted that the draft consultation document should include an infographic explaining the procedure for tissue extraction. It should also include an explanation of what other countries' practises are for freezing testicular tissue from prepubertal boys, whose fertility is threatened, for possible future use in fertility treatment.

- 14.6 Members directed the Secretariat to continue working on the draft consultation document and develop options for consideration at the August meeting.

Actions

- *Secretariat to investigate whether early consultation in developing the document is appropriate*
- *Secretariat to include an infographic about tissue extraction*
- *Secretariat to include information about the practices of other Countries for freezing testicular tissue from prepubertal boys*
- *Add findings to ACART's August paper on this project.*

15. Working group on amending the guidelines for extending the storage of gametes and embryos

- 15.1 Members of this working group discussed (a) the proposal that gamete donors should not re-consent to extending storage when embryos have been formed from those gametes (to be consistent with informed consent policy, and proposed revised donation guidelines policy) and (b) whether there are circumstances in which embryo donors should or should not be asked to re-consent for extending storage of the embryos they have donated. A third topic was whether to ask the public about the ten year storage limit, in particular if there might be good reason to recommend a change to the HART Act to remove or amend the limit.
- 15.2 Working group members agreed the first matter is straight forward and not a policy change but rather a confirmation of a policy. As such, consultation is not strictly needed, but there could be merit in discussing the proposed change with clinics.
- 15.2 Working group members had a lengthy discussion about whether there are circumstances in which embryo donors should or should not be asked to re-consent for extending storage of the embryos they have donated (to be consistent with consent in the proposed revised donation guidelines). They agreed to consider the matter in more depth out of session and report back to ACART's August meeting.
- 15.3 On the matter of the suitability of the ten year limit, working group members agreed to seek an opinion from the Ministry of Health about ACART's role in advising the government on if and how changes to the HART Act could be made.

Actions

- *Secretariat to consider the logic of asking embryo donors to re-consent when the storage of embryos is extended*
- *Legal member to look into the proposed amended guidelines for donations and surrogacy to confirm how authority over embryo is stated*
- *Secretariat to ask the Ministry of Health about ACART's role in advising the Government on if and how changes to the HART Act could be made.*
- *Add findings to ACART's August paper on this project.*

16. Reconvene to discuss progress by the working groups

- 16.1 All members reconvened, and summarised the progress of the working groups. Each group had identified further actions that were needed and will circulate their findings to the whole committee.

Action

- *Each working group to circulate their findings to the whole committee*

Extra item 1: general business

- A member informed others that in July she will take part, online, in the conference of the European Society of Human Reproduction and Embryology.

Extra item 2: general business

- A member advised others he will meet the *Fertility New Zealand* (consumer group) soon and will be able to provide them with an overview of the various streams of ACART's work.

Action

- *Secretariat to send the member the summary document of the status of ACART's work.*

Extra item 3: ACART members at upcoming ECART meetings

- Members noted the dates of the upcoming ECART meetings and discussed who would attend.

Action

- *Secretariat to contact all members to confirm attendance at the upcoming ECART meetings.*

Conclusion of meeting and next meeting dates

- The dates of ACART's remaining 2020 meetings are:
 - Thursday, 13 August 2020.
 - Thursday, 15 October 2020.
 - Thursday, 10 December 2020.
- The location of all meetings is to be confirmed — when new and replacement members have been appointed it will be important for a meeting to be held in person. Any meeting not held in person will be held online.

Action

- *Secretariat to advise ECART of the upcoming meeting details.*
- The meeting closed at 12.30pm.