

19-D-02489

s 9(2)(a)

The New Zealand Herald
s 9(2)(a) @nzme.co.nz

Dear s 9(2)(a)

Thank you for your email of 14 November 2019 requesting the following under the Official Information Act 1982 (the Act):

- Copies of any reports, briefing materials, documents, memoranda, correspondence, legal advice or emails, both internal and external, specifically regarding:
- The release and findings of the Royal Society Te Apārangi August report on gene editing.

The Ministry for the Environment has identified 27 documents in scope of your request, as listed in the attached table.

In August 2019, the Royal Society Te Apārangi released its final report summarising the legal and regulatory implications relating to gene editing. The Minister for the Environment welcomed the release of the report and requested that officials provide advice on matters that were raised by the Royal Society and other parties including the Prime Minister's Chief Science Advisor and medical researchers: <https://www.beehive.govt.nz/release/government-responds-royal-society-te-ap%C4%81rang-report-gene-editing>

The Ministry has prepared a briefing to address the advice requested by the Minister. That advice was provided to the Minister after your request was received, and therefore falls outside the scope of your request. It is currently with the Minister for his consideration.

To prepare the briefing, the Ministry consulted with other agencies that have a role in regulating genetic modification. Emails, file notes, and drafts of the briefing contain some information that pertains to the findings of the Royal Society report. This information has been withheld because it informed the nature of the advice tendered to the Minister. That advice is still under his consideration. Much of the information contained within the listed documents also falls outside the scope of this request, as it does not relate to the release and findings of the Royal Society Report.

Some information within these documents has been withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons
- 9(2)(f)(iv) the confidentiality of advice tendered by Ministers of the Crown or officials
- 9(2)(g)(i) the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in course of their duty.

Some out of scope information has also been removed from the documents being released to you.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Some information held by the Ministry, relating to the release of the Royal Society Report, has already been provided to you by the Minister for the Environment. To avoid duplication, we have not provided those documents with this response.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our OIA responses page (<https://www.mfe.govt.nz/about-us/official-information-act-requests>) shortly after the response has been sent.

If you have any queries about this, please feel free to contact our Executive Relations team.

Yours sincerely



Glenn Wigley
Director, Natural and Built System

Released under the provisions of
the Official Information Act 1982

List of documents

Document no.	Document date	Content	Decisions	OIA sections applied
1	7 August 2019	Email dated 7 August 2019: RE Royal Society Te Apārangi-launch of regulatory paper Redacted.pdf	Release in part	S9(2)(a)
2	8 August 2019	Email dated 8 August 2019: Re: Royal Society Te Apārangi Gene editing papers for release	Release in part	S9(2)(g)(i) S9(2)(a)
3	9 August 2019	Gene editing coms for Monday morning – Royal Society report	Release in full	
4	12 August 2019	RE: Amended press release	Release in part	S9(2)(g)(i) S9(2)(f)(iv)
5	13 August 2019	Email dated 13 August 2019: Royal Society Te Aparangi launches information on the legal and regulatory implications of gene editing	Release in part	S9(2)(a)
6	20 August 2019	File Note: Minister Parker Request for Advice on Gene Editing	Release in scope material in full	
7	18 September 2019	Email dated 18 September 2019: Talking points for GM with Minister Parker	Withhold	S9(2)(f)(iv)
8	3 October 2019	File note: MfE-EPA Meeting 3.10	Withhold	S9(2)(f)(iv)
9	21 October 2019	Email dated 21 October 2019: Feedback on Gene Editing Briefing note	Withhold	S9(2)(f)(iv)
10	25 October 2019	Email dated 25 October 2019: MfE GM Briefing for review (MPI)	Withhold	S9(2)(f)(iv)
11	25 October 2019	Email dated 25 October 2019: MfE GM Briefing for review (Ministry of Health)	Withhold	S9(2)(f)(iv)
12	25 October 2019	Email dated 25 October 2019: MfE GM Briefing for review (Medsafe)	Withhold	S9(2)(f)(iv)
13	29 October 2019	Email dated 29 October 2019: MfE GM Briefing for review (MfE Legal)	Withhold	S9(2)(f)(iv)

Document no.	Document date	Content	Decisions	OIA sections applied
14	29 October 2019	Email dated 29 October 2019: MfE GM Briefing for review (MfE Chief Science Advisor)	Withhold	S9(2)(f)(iv)
15	29 October 2019	Email dated 29 October 2019: Te Pūrengi meeting paper	Withhold	S9(2)(f)(iv)
16	30 October 2019	Email dated 30 October 2019: Re: GM Briefing for review (MPI)	Withhold	S9(2)(f)(iv)
17	31 October 2019	Email dated 31 October 2019: FW: Response to briefing (EPA Comments)	Withhold	S9(2)(f)(iv)
18	31 October 2019	Email dated 31 October 2019: Re: GM Briefing comments attached (Health)	Withhold	S9(2)(f)(iv)
19	31 October 2019	Email dated 31 October 2019: Re: GM Briefing for review (Medsafe Comments)	Withhold	S9(2)(f)(iv)
20	31 October 2019	Email dated 31 October 2019: Re: GM Briefing comments attached (Health)	Withhold	S9(2)(f)(iv)
21	6 November 2019	Email dated 6 November 2019: Re: MfE GM Briefing for review (Medsafe comments)	Withhold	S9(2)(f)(iv)
22	6 November 2019	Email dated 6 November 2019: Re: MfE GM Briefing for review (Medsafe comments 2)	Withhold	S9(2)(f)(iv)
23	6 November 2019	Email dated 6 November 2019: MfE GM Briefing for review (MPI)	Withhold	S9(2)(f)(iv)
24	6 November 2019	Email dated 6 November 2019: FW: 2019-B-06162 GM Briefing on Medical Uses and Containment Research 5:06pm 6.11.19	Withhold	S9(2)(f)(iv)
25	7 November 2019	Email dated 7 November 2019: Re: 2019-B-06162 GM Briefing on Medical Uses and Containment Research 5:06pm 6.11.19	Withhold	S9(2)(f)(iv)
26	7 November 2019	Email dated 7 November 2019: Positive Response from Health	Withhold	S9(2)(f)(iv)
27	11 November 2019	Email dated 11 November 2019: Re: GM Briefing (MfE Legal)	Withhold	S9(2)(f)(iv)

From: [Marc Rands](#)
To: [Tim Bennetts](#); [Stephen Walter](#); [Mariska Wouters](#); [Vy Nguyen](#)
Subject: RE: Royal Society Te Aparangi - launch of regulatory paper
Date: Wednesday, 7 August 2019 4:38:35 PM
Attachments: [image001.png](#)

Kia ora,

We will also be re-packaging the scenarios and summaries and releasing them with some reflections from the panel chairs as well. Happy to send you copies in advance if you wish.

All the best,

Marc

Dr Marc Rands
Senior Researcher

ROYALSOCIETY.ORG.NZ

From: Marc Rands
Sent: Wednesday, 7 August 2019 2:55 p.m.
To: 'tim.bennetts@mfe.govt.nz' <tim.bennetts@mfe.govt.nz> 'stephen.walter@mfe.govt.nz' <stephen.walter@mfe.govt.nz>; 'Mariska.Wouters@mfe.govt.nz' <Mariska.Wouters@mfe.govt.nz>; 'Vy.Nguyen@mfe.govt.nz' <Vy.Nguyen@mfe.govt.nz>
Subject: Royal Society Te Aparangi - launch of regulatory paper

Kia ora koutou

As a heads up, you might like to know that the Royal Society Te Aparangi is planning to launch its paper on the Society's Gene Editing Panel's reflections on the legal and regulations around gene editing next week (copy and draft press release attached, in confidence).

We are looking to collaborate with the Q+A programme on TVNZ with a feature on their show on Monday night at 9.30am, but this is still to be totally confirmed. If this goes ahead, we will release the documents formally on Tuesday morning. It may be that the Q+A programme will want to delay a week, but if it's looking like it will be a long delay, we will launch anyway next week.

Nga mihi

Marc

Dr Marc Rands
Senior Researcher

s 9(2)(a)

Royal Society Te Aparangi
 11 Turnbull Street, Thorndon, Wellington 6011
 PO Box 598, Wellington 6140, New Zealand
ROYALSOCIETY.ORG.NZ

RS landmark FA RGB-01-01



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From: [Glenn Wigley](#)
To: [Amanda Moran](#); [Tamsin Vuetilovoni](#)
Cc: [Amanda Baldwin](#); [Mariska Wouters](#); [Alison Collins](#); [Justin Strang](#)
Subject: Re: Royal Society Te Aparangi Gene editing papers for release
Date: Thursday, 8 August 2019 4:05:36 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Thanks Amanda

We have been involved in reviewing this report at various stages in its development.

s 9(2)(g)(i)

If you (or Justin, Vicky) need any notes on this (I think it will create media interest) let us know.

Tamsin- if you dont have already i think it could be useful to have some media messaging in response to the report. Amanda Baldwin and Mariska Wouters will be able to assist.

Glenn

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Amanda Moran <amanda.moran@mfe.govt.nz>
Date: 8/08/19 15:08 (GMT+12:00)
To: Glenn Wigley <glenn.wigley@mfe.govt.nz>
Subject: Fwd: Royal Society Te Aparangi Gene editing papers for release

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From: Vicky Robertson <Vicky.Robertson@mfe.govt.nz>
Sent: Thursday, August 8, 2019 12:45:06 PM
To: Cheryl Barnes <Cheryl.Barnes@mfe.govt.nz>; Amanda Moran <amanda.moran@mfe.govt.nz>;
 Natasha Lewis <Natasha.Lewis@mfe.govt.nz>; Jeremy Corban <Jeremy.Corban@mfe.govt.nz>;
 Justin Strang <Justin.Strang@mfe.govt.nz>; Janine Smith <Janine.Smith@mfe.govt.nz>
Cc: Kim Matthews <Kim.Matthews@mfe.govt.nz>

Subject: FW: Royal Society Te Aparangi Gene editing papers for release

fyi

Vicky Robertson – Secretary for the Environment

Ministry for the Environment – Manatu Mo Te Taiao

Mobile: 021409992 Website: www.mfe.govt.nz

Environment House, 23 Kate Sheppard Place, Thorndon, PO Box 10362, Wellington 6143

id: image003.jpg@01D26A65.99010DFO



From: Roger Ridley <Roger.Ridley@royalsociety.org.nz>

Sent: Wednesday, 7 August 2019 6:09 PM

To: Vicky Robertson <Vicky.Robertson@mfe.govt.nz>

Subject: Royal Society Te Aparangi Gene editing papers for release

Kia ora Vicky

Please find attached a compendium containing the suite of gene editing papers for publication. Of these, the regulatory paper and the chairs overview paper are new. The remainder are updates of papers previously released in draft form. We have sent it to our contacts in MfE and EPA (and other departments) and science advisors. Best to make sure you know about it as well!

We currently expect the regulatory paper to be “launched” with a discussion on TVNZ Q+A next Monday 12 August with our remaining material released early Tuesday 13th. However, there is a chance that we will be bumped off Q+A by the OCR interest rate cut in which case it will be the following Monday/Tuesday. I will let you know if the date changes from 12/13th.

Hope all is good with you

Kind regards

Roger

Dr Roger Ridley *Director - Expert Advice & Practice*

s 9(2)(a)

Royal Society Te Aparangi

11 Turnbull Street, Thorndon | PO Box 598, Wellington 6140, New Zealand

www.royalsociety.org.nz

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From: [Amanda Baldwin](#)
To: [Tamsin Vuetilovoni](#)
Cc: [Glenn Wigley](#); [Tim Bennetts](#); [Mariska Wouters](#)
Subject: Gene editing coms for Monday morning- Royal Society report
Date: Friday, 9 August 2019 2:35:02 PM
Attachments: [image001.png](#)

Hi Tamsin,

My thoughts for Monday morning coms on gene editing report from the royal society are:

- Thank the Royal Society for their work to support informed discussion about gene editing among New Zealanders.
- Note the particular value of considering GE with regard to NZs particular social and cultural heritage
- Acknowledge the work of scientists and the advancement in genetic technologies in recent years
- Acknowledge there are considerable benefits that gene editing can bring to our lives, particularly in health, pest control and primary industry
- Acknowledge the significant social, legal and ethical considerations that come with this technology and the need for further conversations
- Possibly the minister might "look forward to reading the royal society's report in more detail"

Background information and context:

- **Our current direction from Govt:** Gene editing is a contentious and emotive issue for many people. My understanding is that the govt does not wish to address these matters in the current term and that we are directed not to progress this work.
- **What the royal society says in their report:** *"The Panel would like to see a legal and regulatory system that is more future-focused and 'fit-for purpose' by being easier to navigate, having clear and consistent definitions, and providing a better basis for assessing the risks and opportunities of particular applications of gene editing rather than focusing on the gene editing process itself. There is also an urgent need for a wide and well-informed discussion across New Zealand's diverse communities about preferences for the application of gene editing, in order to inform regulatory change."*

Link to the royal society web page: <https://royalsociety.org.nz/major-issues-and-projects/gene-editing-in-aotearoa/>

- **What Professor Juliet Gerrard says:** the Prime Ministers Chief Science advisor has described our current HASNO laws as "old and tired" and she says that New Zealanders need to have a broad public conversation. You can see her views in the herald last week <https://www.nzherald.co.nz/index.cfm?objectid=12254246>

Amanda Baldwin (manda) – Manager, Environmental Risk and Innovation
 Ministry for the Environment – Manatu Mo Te Taiao

Mobile: 022 3625798 Email: amanda.baldwin@mfe.govt.nz Website: www.mfe.govt.nz
 23 Kate Sheppard Place, Thorndon, Wellington 6143

<http://intranet.mfe.govt.nz/sites/all/files/Lockup-8pt.png>



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From: [Amanda Baldwin](#)
To: [Simon Lamping](#)
Subject: FW: Amended press release
Date: Thursday, 5 December 2019 3:03:13 PM

From: Tamsin Vuetilovoni <Tamsin.Vuetilovoni@mfe.govt.nz>
Sent: Monday, 12 August 2019 4:46 PM
To: Amanda Baldwin <Amanda.Baldwin@mfe.govt.nz>
Subject: RE: Amended press release

Thanks Amanda, I actually don't have a copy of the report, but I will take your word for it s 9(2)

Tamsin

From: Amanda Baldwin <Amanda.Baldwin@mfe.govt.nz>
Sent: Monday, 12 August 2019 4:44 PM
To: Tamsin Vuetilovoni <Tamsin.Vuetilovoni@mfe.govt.nz>
Subject: RE: Amended press release

Hi Tamsin,

s 9(2)(f)(iv)

'manda

From: Tamsin Vuetilovoni <Tamsin.Vuetilovoni@mfe.govt.nz>
Sent: Monday, 12 August 2019 3:44 PM
To: Amanda Baldwin <Amanda.Baldwin@mfe.govt.nz>
Subject: FW: Amended press release

Do you know what this refers to?

Tamsin

From: Rereata Hardman-Miller <Rereata.Hardman-Miller@parliament.govt.nz>
Sent: Monday, 12 August 2019 2:04 PM
To: Glenn Wigley <glenn.wigley@mfe.govt.nz>; Amanda Baldwin <Amanda.Baldwin@mfe.govt.nz>; Tamsin Vuetilovoni <Tamsin.Vuetilovoni@mfe.govt.nz>
Cc: Amanda Moran <amanda.moran@mfe.govt.nz>; Justin Strang <Justin.Strang@mfe.govt.nz>; Belinda van Eyndhoven <Belinda.vanEyndhoven@mfe.govt.nz>
Subject: RE: Amended press release

Hi all

Vernon showed this to the Minister and he noted he wants an addition along the lines of - We have asked officials for a list of things we can do in the health sector that do not have heritable trait.

Probably best to clarify at the update meeting.

Cheers

Rereata

From: Glenn Wigley [<mailto:glenn.wigley@mfe.govt.nz>]

Sent: Monday, 12 August 2019 11:45 AM

To: Rereata Hardman-Miller <Rereata.Hardman-Miller@parliament.govt.nz>; Amanda Baldwin <Amanda.Baldwin@mfe.govt.nz>; Tamsin Vuetilovoni <Tamsin.Vuetilovoni@mfe.govt.nz>

Cc: Amanda Moran <amanda.moran@mfe.govt.nz>; Justin Strang <Justin.Strang@mfe.govt.nz>; Belinda van Eyndhoven <Belinda.vanEyndhoven@mfe.govt.nz>

Subject: FW: Amended press release

Hi Rereata

Please see below.

I am in meetings for most of day, so may be easier to get hold of Amanda Baldwin if you want any follow ups.

Glenn

Draft PR, 12 August [pm]
Environment Minister David Parker
Due to MO 3pm 12 August

s 9(2)(f)(iv)

"The recently released suite of gene editing papers by the Royal Society notes there are considerable benefits that gene editing can bring to our lives, particularly in health, pest control and our primary industry.

s 9(2)(f)(iv)

"I am grateful to the Royal Society Te Aparangi for the hard work that has gone into the suite of papers and I look forward to reading them in more detail," David Parker said.

ENDS

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From: [Marc Rands](#)
To: [Mariska Wouters](#)
Subject: Royal Society Te Aparangi launches information on the legal and regulatory implications of gene editing
Date: Tuesday, 13 August 2019 9:02:58 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Kia ora

The Royal Society Te Aparangi has today published a paper on the legal and regulatory implications of gene editing.

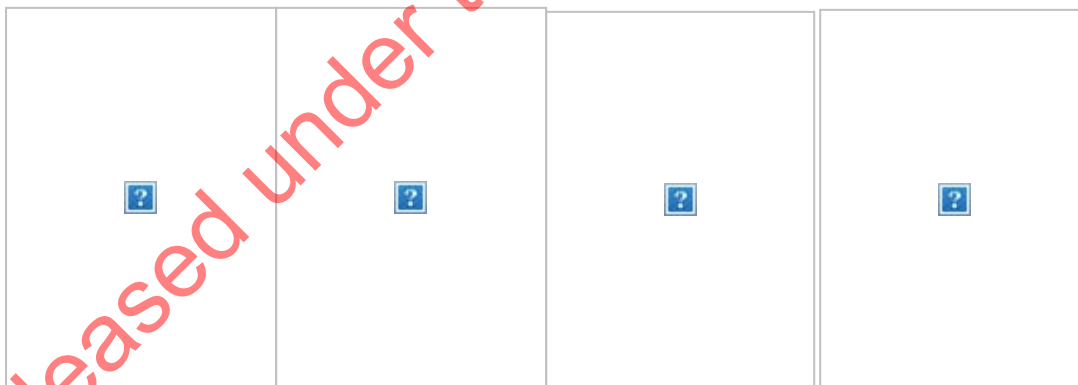
The expert panel set up by Royal Society Te Aparangi to consider the implications of new gene-technologies in healthcare, pest control and the primary industries, has concluded there is a need to move on from a black and white view of "GM or not GM" to a more nuanced view that recognises a wide range of applications of the technology, some of which may be more acceptable to New Zealand communities than others.

Revised scenario summary and technical documents, and the paper on the legal and regulatory framework, are available to view at royalsociety.org.nz/gene-editing.

I hope you find these resources useful and please share them with anyone you think may find them of interest.

Yours sincerely

Marc Rands



Dr Marc Rands
Senior Researcher

s 9(2)(a)

Royal Society Te Aparangi
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[ROYALSOCIETY.ORG.NZ](https://royalsociety.org.nz)

RS landmark FA RGB-01-01



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Minister Parker request for briefing on gene editing

20 August 2019 (updated 7 November 2019)

Issue:

In a press statement¹ of Monday 12 August 2019, Minister Parker said:

“I have asked officials to advise me of where lower regulatory hurdles ought to be considered to enable medical uses that would result in no inheritable traits, or laboratory tests where any risk is mitigated by containment. The recommendation to clarify conflicting or inconsistent definitions across the regulatory framework will also be considered,”

Deliverable:

Glenn Wigley has asked that MfE prepare a briefing by [24 Oct] to provide advice on the 3 key matters:

1. Provide advice on where lower regulatory hurdles ought to be considered to enable medical uses that would result in no inheritable traits
2. Provide advice on where lower regulatory hurdles ought to be considered to enable laboratory tests where any risk is mitigated by containment
3. Consider the Royal Society's recommendation to clarify conflicting or inconsistent definitions across the regulatory framework.

The briefing

<https://tepuna.mfe.govt.nz/otcs/cs.dll?func=ll&objaction=overview&objid=12818316>

Background:

Royal Society Te Apārangi

The Royal Society is an independent, statutory not-for-profit organisation constituted under an Act, for the purpose of advancing and promoting science, technology and the humanities in New Zealand.

From late 2017, the Royal Society convened an expert panel, along with a Māori reference group, to explore the implications of gene editing as well as capture Māori views and approaches to assessing this technology. The panel was not asked to come to a view about the merits or otherwise of any particular application of gene editing.

The Panel has released a number of technical papers accompanied by general discussion documents and scenarios relating to developments in genetic technology in the primary sector, for pest control, and in healthcare²

The final paper released by the Royal Society in August summarises the legal and regulatory implications identified in the papers on the primary sector, pest control, and healthcare.³ This paper is also supported by an academic paper by the main researcher on the Royal Society's gene editing project.⁴

¹ <http://www.scoop.co.nz/stories/PA1908/S00129/government-responds-to-report-on-gene-editing.htm>

² The papers can be found at: <https://royalsociety.org.nz/major-issues-and-projects/gene-editing-in-aotearoa/>

³ <https://royalsociety.org.nz/what-we-do/our-expert-advice/all-expert-advice-papers/gene-editing-legal-and-regulatory-implications/>

⁴ Everett-Hicks J.M & Henaghan R.M. (2019) Gene editing pests and primary industries – legal considerations. New Zealand Science Review, Vol 75 (2-3) AND <https://tepuna.mfe.govt.nz/otcs/cs.dll/link/12482406>

The expert panel has concluded it is time for an overhaul of the regulations and that there is an urgent need for wide discussion and debate about gene editing within and across all New Zealand communities. The published reports put forward a number of considerations to ensure New Zealand's regulatory framework is able to accommodate the new technological developments and areas which may need a policy response.

The Royal Society has consulted the Ministry, and a number of other government agencies, in the development of the papers. The Ministry has been supportive of the Royal Society's efforts in raising awareness and discussion of genetic technology.

Out of Scope

[Redacted text block]

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