We are writing on behalf of the interchurch bioethics council (ICBC) in response to the letter we received from Nick Smith about the disestablishment of Toi te Taiao, the Bioethics Council.

The context appeared to be the fiscal challenge and effectiveness/alignment with government priorities. We appreciate the need in fiscally lean times for funding reductions across a broad range of government departments. However, these cuts ought to be made so as to avoid incurring significant and costly future expenditure because of a failure of vision or awareness about major public concerns to do with the cultural, ethical and spiritual life of the country. The Bioethics Council was the kind of body that could never fit a defined set of government priorities because it was meant to anticipate and give wise counsel about matters which, if not attended to with care, would cause social and legislative disruption. In this sense it could never duplicate the roles of other more specialised ethics groups and its actual working contribution to the machinery of government was likely to be difficult for any official, elected or public servant, to appraise. That difficulty is especially likely to affect those newly elevated to positions of responsibility. A “specialist advisory committee” with a designated focus is, for that very reason, unable to replace the Bioethics Council in any adequate way.

There is a unique NZ perspective on many areas of ethical, cultural and spiritual significance in the developed world, and failure to attend to them (for instance in relation to taking due account of very different traditions of dealing with the dead) is a cause of major discontent and expense in terms of public appeasement and remediation. What is more, such institutions as the Bioethics Council that are unique to NZ are nevertheless an international resource, springing as they do out of an almost unique relationship between colonising European society and indigenous people. This makes bodies such as the Bioethics Council highly important to the development of a knowledge economy and the potential benefits of a body able to give integrated advice on social and moral issues beyond a narrow focus of pressing concerns. Our standing in relation to ‘pacific peoples’ and our willingness to take seriously deep-seated concerns from people of different cultures and traditions of spirituality and deal with them in an open and informed way is part of the uniqueness of New Zealand society and one we should cherish and nurture as a response to the challenges of modernity.

We are concerned about the return to devaluing the views of ‘publics’, including communities, cultural groups, and faith traditions. Although many government agencies - particularly in places like the Ministry of Health – may not have been very good in listening to the people, methods other than the usual ‘consultation’ in terms of surveys requiring individuals to “tick the boxes” hold real hope for an enlightened development of genuinely humanitarian social policy. Alignment of our society and economy with the moral challenges of today’s world increasingly needs to include the future focus on broader fields than any current ethical body or single ministry has. A focus on resource and educational roles that review groups do not have the time or resources to fulfil, is also required.

In this respect we note that:

1. The Bioethics council performed a unique role in new Zealand society in selecting and debating topics of importance, interest, current and future potential and relevance to NZ. Over the life of the Council major topics were:
   • Human Genes in Other Organisms;
   • Xenotransplantation;
   • Who gets Born, on pre-birth testing.
Other topics addressed included:
   • Use of human embryos and other responses to ACART on assisted human reproduction,
   • a ‘watch this space’ paper on nanotechnology, and
   • future ideas about spirituality and bioethics in which various groups were beginning to take an interest.

The work is basic to the public role of Council and Secretariat members and their ability to contribute to a variety of fora including major international meetings.
2. The methods for engaging in dialogue with various 'publics' aimed to provide good and accessible information on a particular piece of biotechnology along with the considered views of people involved in the relevant fields. Focus and similar groups were used to shape the approach to a particular topic. Over time the methodology became more focused on the best ways of getting public involvement such as deliberation through considering competing values and the choices facing decision makers in government. A variety of face to face methods were used along with mediated online dialogue and, in earlier work, direct submissions. These methods and their results are in fact a work in progress on constructing a participatory democracy on issues of ethical importance to any human society.

3. The composition of the Council was unique in that it was deliberately set up as a group with a wide range of expertise, experience and networks. It sought a balance of cultural, ethical and spiritual interests with each member bringing a different range to enrich the whole. Over time it became an increasingly effective group who contributed from their own backgrounds and interacted with that from others. The significant Maori presence brought a wide range of Maori views and experience - part of the uniqueness of Aotearoa NZ. Internationally there were no other Councils quite like ours. In UK a similar body was composed of various shades of ethicists. The inclusion of spiritual and cultural along with ethical aspects of biotechnology also appears to be unique. Thanks to the spread of its members the Council was well placed to provide appropriate advice for the development of sustainable policies. The alternative, which appears to be to use Wellington based civil servants or specialist committees or to hope that the issues will just go away seems to be a very retrograde step. The Council attained international recognition as a leader in its work including its encouragement of citizens to participate in the democratic process - a matter seen as increasingly important by OECD governments and even by the World Bank.

4. Development of expertise within the Secretariat was itself exciting and innovative; from the beginning these people were not the usual 'policy analysts' found in most government ministries and departments. Each person brought particular expertise and this was fostered through further training. Professionally responsible to the Council, Secretariat staff developed effective ways of working with Council members to make use of combined strengths. Their increasing experience and expertise has been used as a resource across government in formal and informal ways particularly on matters where public dialogue (participatory democracy) is seen as important.

5. Much of the debate at government level begs the question of the situation of the Council which was established as a separate body with its own budget, responsible for determining its own programme and addressing issues relating to many different ministries and wide areas of New Zealand public life that touch the spirit of a nation. It was not, and should not now be seen as, a line item of the Ministry of the Environment.

The recommendations of the State Services Review included a way of ensuring much wider use by government across ministries of the work done (and reported) by the Bioethics Council and that was beginning to happen.

One might well ask whether the government is not interested in increasing involvement in the democratic process, nor in the role of New Zealand as a world leader in thinking of ethical, cultural and spiritual issues of interest to all developed societies. The government appears to be acting to reverse gains made; gains and a modus operandi recognised internationally as well as in NZ. These gains offered a genuine hope of avoiding, rather than allowing us to blunder into, moral and societal problems affecting all of our lives at the points where we come face to face with our deepest concerns.

As the Interchurch Bioethics Council we would further urge the Government to reconsider their position on Toi te Taiao, the Bioethics Council and to reinstate this unique body in the interests of all New Zealanders.