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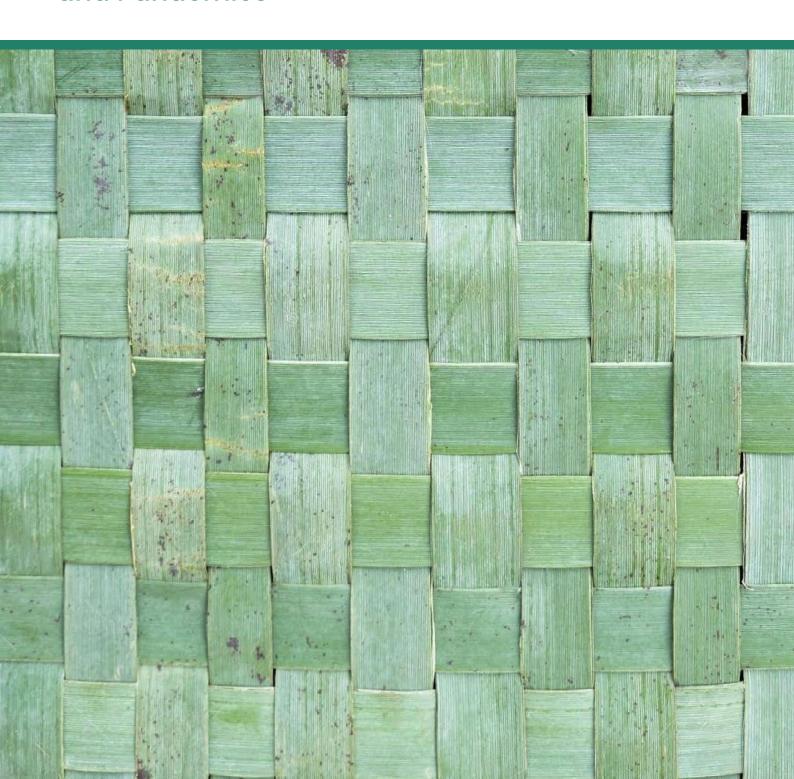National Ethics Advisory Committee

Kāhui Matatika o te Motu

Finding Balance

Ethical Principles for Epidemics and Pandemics

Executive summary

Finding Balance aims to support decision makers to balance competing ethical issues when preparing for, responding to and recovering from a pandemic and inform planning and management activities.

Experiences from the COVID-19 pandemic informed the development of *Finding Balance*, in particular highlighting the speed at which decisions need to be made during the response phase, the importance of having structures already in place to bring a wide range of people into decision-making processes and the need for transparency in how decisions are made.

Finding Balance is composed of the Balance Principles and a framework for how to apply the Balance Principles. Recommendations and examples of how to integrate and give effect to the Balance Principles are provided throughout Finding Balance and partly summarised below.

Co-design appropriate responses now, particularly with populations likely to impacted.

Decision makers have a responsibility to ensure individuals and communities are involved in decisions that impacts them. Co-designed, local government and community-led responses can often result in more equitable, cost-effective responses that can be implemented faster. The time to connect with communities is before a pandemic occurs, as this will enable rapid stand-up of community-led responses during an event. Co-designing appropriate response plans now will ensure unbiased outcomes and mitigate risks inherent in rapid decision-making without adequate consultation .

During a pandemic, there are known ethical issues to be considered for a range of populations. This includes the Pae Ora Act priority populations (Māori, Pacific Peoples, women, people in rural and remote areas, disabled people and people with poor mental health), those in higher-risk settings and occupations (for example, hospitals, residential services and correctional facilities) and other vulnerable groups (people over the age of 65 years, people experiencing homelessness, Rainbow community members, former refugees and recent migrants, and children in poverty).

The needs of future generations should also be considered. These considerations must underpin planning to ensure tomorrow's inequities are not increased because of a pandemic response. Co-designing pandemic plans with these population groups will ensure more equal outcomes for the whole population.

Communicate with people and communities in ways that empower them to participate in and promote pandemic responses.

Trust between communities and decision makers increases the likelihood of compliance with public health measures during a pandemic. Quality communication can grow trust between communities and decision makers as well as trust in the public health measures themselves. Knowing where to find information can give people a sense of agency and purpose through making them active participants.

A whole-of-society approach to build awareness about the impacts of misinformation and disinformation, along with ways of identifying and combating it, will strengthen Aotearoa New Zealand's resilience to mis/disinformation.

Responses to a pandemic should balance the risks and benefits, be evidence based and align with ethical principles.

An effective pandemic response will require a range of responses. To protect the collective's right to health, some of these may limit individual or group liberties. To find the correct balance between individual and collective rights, responses should align with the Balance Principles, include mātauranga Māori and evidence-based science, and be proportional to the benefit they are trying to achieve or the risk they are trying to mitigate. Where there is minimal evidence underpinning a response, the response should be accompanied by a publicly transparent evidence-gathering programme. The rationale for the response (and full details about the known evidence base) should be openly communicated to the public and the response should be evaluated and amended as evidence builds.

Responses must avoid infringing on Māori rights under Te Tiriti o Waitangi.

Decision makers must have regard for the significant positive impact of mātauranga Māori on people in Aotearoa New Zealand. Responses must avoid infringing on Māori rights under Te Tiriti o Waitangi.

Data should be collected that is reportable by known equity indicators.

Collecting quality data that is reportable by known equity indicators, such as ethnicity and disability, should be part of any pandemic response. High-quality data enables decision makers to identify injustices to different groups of people and develop targeted responses. All mātauranga Māori is classified as taonga, and this applies to the management of all data in Aotearoa New Zealand.

As with other data and records management legal and ethical frameworks, decision makers must consider where and how data and other information is stored, accessed, used, and released. This includes how and when information is provided for others to use in consideration of the Health Information Privacy Code 2020, privacy rights, and protection of vulnerable populations.

Support global discussion, cooperation and agreements that will help minimise the negative effects of future pandemics.
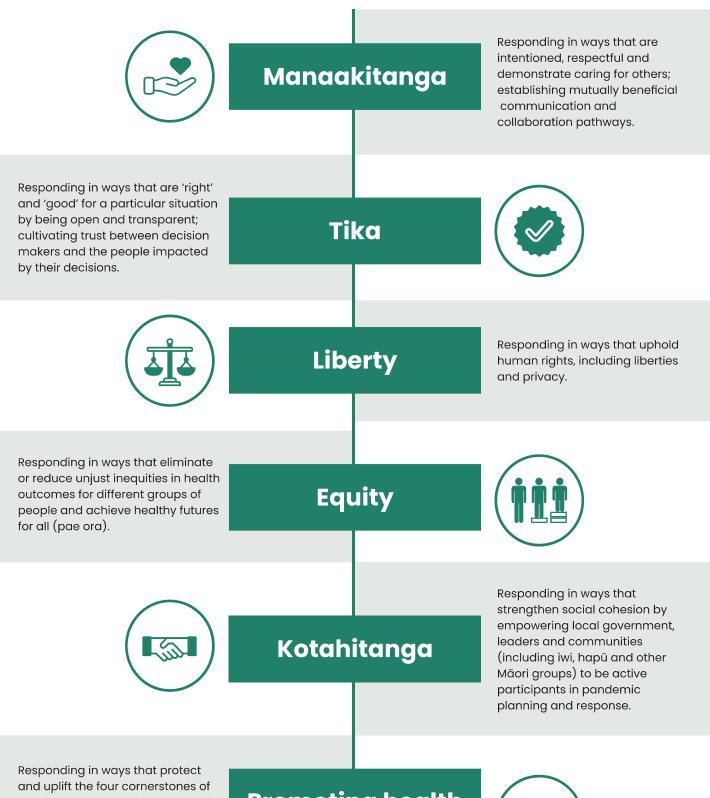
Aotearoa New Zealand should seek out opportunities to support global discussion, cooperation and agreements that will help minimise the negative effects of future pandemics. Pandemics do not respect national borders, and decision makers should be mindful of Aotearoa New Zealand's responsibility to act ethically towards people in other countries and our special relationships with Pacific Island nations. Helping another nations combat a pandemic quickly may be both the ethical thing to do and in Aotearoa New Zealand's best interest as cooperative approaches can reduce both the likelihood of future pandemics emerging and the risks associated with them.

The National Ethics Advisory Committee (NEAC) vision is for Aotearoa New Zealand to get through a pandemic as a strong and united country, where everyone has had an equal chance to survive and thrive and New Zealanders can feel proud of the national response. We believe using the Balance Principles to guide decision making will enable Aotearoa New Zealand to achieve this vision.

Finding Balance

Ethical Principles for Epidemics and Pandemics

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National Ethics Advisory Committee
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Manaakitanga

Responding in ways that are intentioned, respectful and demonstrate caring for others; establishing mutually beneficial communication and collaboration pathways.

Responding in ways that are 'right' and 'good' for a particular situation by being open and transparent; cultivating trust between decision makers and the people impacted by their decisions.

Tika

Liberty

Responding in ways that uphold human rights, including liberties and privacy.

Responding in ways that eliminate or reduce unjust inequities in health outcomes for different groups of people and achieve healthy futures for all (pae ora).

Equity

Kotahitanga

Responding in ways that strengthen social cohesion by empowering local government, leaders and communities (including iwi, hapū and other Māori groups) to be active participants in pandemic planning and response.

Responding in ways that protect and uplift the four cornerstones of Te Whare Tapa Whā health model: whānau health, mental health, physical health and spiritual health. Healthy individuals and whānau turn into healthy communities and a healthy population.

Promoting health and wellbeing