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Ref. H2024039407

Bryan Nicholson  
Chief Executive  
Taranua District Council  
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Tēnā koe Bryan

Thank you for your letter of 4 April 2024, and your follow up email of 18 April 2024, regarding community water fluoridation in Dannevirke.

I appreciate the work the Taranua District Council is doing to implement the direction to fluoridate the Dannevirke drinking water supply. It is good to hear that you have the capital works well underway.

You have asked about the timing of fluoridation in Dannevirke given the judicial review of the Director-General of Health directions to fluoridate. As outlined in my letter to you of 22 February 2024, there was High Court hearing on 2 February 2024 to consider the validity of the current directions, and any relief. The High Court Judge kept the directions in place. The Judge also directed the Director-General of Health to assess whether each of the 14 directions made in 2022 was, in terms of section 5 of the New Zealand Bill of Rights Act 1990, a justified limit on the right to refuse medical treatment that is provided for in section 11 of the New Zealand Bill of Rights Act.

As directed by the Judge, I am currently carrying out this assessment against the New Zealand Bill of Rights Act, for each of the directions. This involves a rigorous, evidence-based and multi-faceted analysis, which takes account of a number of variables. I am progressing this as expeditiously as possible. While this process is underway, I can confirm that the direction to fluoridate the Dannevirke drinking water supply remains in place.

In your letter you refer to the change to compliance date approved for the Nelson City Council. Local authorities can ask for an extension to enable greater time to comply with directions to fluoridate, and I will consider such requests on a case-by-case basis in light of the circumstances. Nelson City Council did request an extension, and on consideration of the circumstances, I agreed to this request..

Thank you for your work to date to improve the oral health of your communities.

Nāku noa, nā



Dr Diana Sarfati  
**Director-General of Health**  
**Te Tumu Whakarae mō te Hauora**