

*Workshop on Guiding Public Health
Policy in Areas of Scientific Uncertainty*

July 11-13, 2005

Plenary Discussion of the Framework:

Strengths, Weaknesses

Recommendations

Workshop Objectives

- To discuss the use of precautionary measures in the development of public health policy
- To review and provide useful inputs on the draft Framework
- To discuss the implications of its implementation with stakeholders
- To apply the Framework to a series of relevant case studies to ensure it is useful and practical

The Framework: Guiding Principles

- Precaution is considered throughout the risk management cycle as an overarching approach
- Science is key to the process. Precaution complements rather than replaces science-based risk management. Science provides a basis for determining degree of precaution.
- Public concern may be a trigger for implementing public health policies, though the priority is the protection of health
- Communication and consultation with stakeholders should occur at all appropriate stages and the transparency of the whole process should be guaranteed

The Framework: Criteria for Selecting Precautionary Options

Where precautionary action is deemed necessary, measures should:

- Be provided for and carried out in accordance with the law
- Not be drafted or imposed arbitrarily
- Be proportionate to the chosen level of protection
- Be no more restrictive than necessary to achieve the intended purpose

- Be subject to systematic review
- Be consistent with similar measures already taken
- Be based on an examination of potential benefits and costs of action or lack of action
- Be subject to review, in light of new scientific data
- Be capable of assigning responsibility for producing the scientific evidence necessary for a more comprehensive risk assessment

Framework recognizes that social and cultural factors, ethical values, experience and observation, and political realities are a central part of the context that ultimately determines the policy decision (i.e. heightened concern for vulnerable populations, inequities in the distribution of actual and potential exposures, ubiquitous exposures)

Framework Strengths

- Aims to avoid misuse of the precautionary principle, disparities between national policies
- Provides a basis for identifying cost-effective investments to reduce potentially harmful exposures in the face of scientific uncertainty
- Aims to identify level of precaution required to protect public health
- Based on accepted principles and designed to reduce disproportionate response
- Provides a basis for identifying what we know, what we know we don't know, and what we don't know at all
- WHO definition of health provides incentive to think beyond morbidity and mortality (including known and unknown risks, risk perception, social well-being)
- Aims to promote open and transparent decision-making through ongoing communication and consultation with stakeholders

Strengths (2)

- Promotes identification of win-win solutions from the outset
- Encourages implementation of a wider range of risk management options
- Promotes examination of risk tradeoffs- what are the risks and benefits of alternatives
- Promotes explicit consideration of ethical values, social and cultural factors, public concerns/risk perceptions
- Guides identification of research priorities to address gaps in knowledge
- Framework correctly focuses on the process of decision-making rather than on substance of what would be considered precaution in a given scientific context

Strengths (3)

- Explicit value statements: “*priority is given to preventing risks, wherever possible, not just controlling them*” make it easier to interpret and apply precaution in a given context
- Provides basis for triggering decision points (i.e. declaration of pandemic flu)
- Important aspects of Canada’s Privy Council Office framework are incorporated (transparency, accountability, public involvement, actions proportional to severity of risk, non-discriminatory and consistent, cost effective)
- Significant improvement over Oct. 2004 draft – greater emphasis on scientific basis for actions, greater consistency in use of terminology

Weaknesses

- Lack of clarity in terminology: *scientific uncertainty, precaution and precautionary principle*. There are no universally accepted definitions and are prone to widely varying interpretations
- Need for more concrete and practical guidance; challenge is to strike balance between precision and flexibility
- Mechanisms for strengthening stakeholder involvement throughout the process need to be articulated, considering differences between cultures and societies
- Describes a process, sequence of stages for decisionmaking, but is missing an analysis of the structure and dynamics of the system at multiple levels (i.e. work, staff, management, corporate, regulatory, government)
- Little guidance provided on how to prioritize

Recommendations

- Provide definitions and consistent use of terminology – uncertainty, precaution, precautionary principle, risk analysis (C. Franklin, G. Granville, J. Rowley, others)
- More formal integration of assessment of risk perception and psychosocial impacts as part of the scientific risk assessment and risk management process (L. Lemyre)
- Include suggestions to guide how effective and legitimate precautionary actions are to be developed (H. McLeod-Kilmurray)
- Consider whether consultation and participation at the various steps should be mandatory (H. McLeod-Kilmurray)
- Consider mechanisms for reviewing and assessing transparency and accountability (H. McLeod-Kilmurray)
- Need to identify who is responsible for ensuring that comprehensive and timely risk assessments are undertaken (lessons from BSE and Walkerton)

Recommendations (2)

- Framework needs to lead to decisions that result in reductions in exposure in order to be accepted by NGOs (K. Ogilvie)
- Requirement for explicit characterization of the impact of alternate risk assessment assumptions that are applied in manipulating uncertain information (G. Paoli)
- Discuss science vs values more thoroughly (G. Granville)
- Discussion of benefits must be addressed at higher level where appropriate. Tools like bca/cea are good tools to help chose between alternatives but often do not address higher level concerns. Discuss at a higher level. (G. Granville)
- Adopt more neutral tone on new technologies, they are not always dangerous (J. Rowley)