Dear Foreign Affairs Defence and Trade Select Committee

Re: International Treaty Examination of the Trans-Pacific Partnership Agreement

Thank you for the opportunity to respond to this inquiry into the Trans-Pacific Partnership Agreement (TPPA).

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) is responsible for training, educating and representing psychiatrists in Australia and New Zealand.

Psychiatrists are medical doctors who undertake additional training to qualify as specialists in the treatment of mental illness. Psychiatrists are experts in the diagnosis and treatment of mental illness, practicing in collaboration with other health professionals to ensure New Zealanders with mental health and addiction problems receive the care they need. The role of the psychiatrist extends to advocating for better health outcomes and ensuring equitable access to mental health services. Current advocacy activities include working to reduce the consumption of alcohol and other addictive substances that impact on the population’s health and wellbeing.

The RANZCP wishes to express concern regarding the implementation of TPPA before undertaking an independent Health Impact Assessment (HIA) quantifying the impact the trade agreement will have on the health outcomes for our patients and the wider New Zealand population. A HIA is a structured approach to assessing the positive and minimising the negative health impacts of a new initiative such as implementing a new piece of legislation (Harris, 2007). Other peak bodies such as the New Zealand Medical Association and the Royal Australasian College of Physicians have also called for a HIA of the TPPA before it is adopted by the Government (NZMA, 2015a; RACP, 2015).

The RANZCP has identified the following areas that strongly indicate the need for a HIA. We ask that the Foreign Affairs Defence and Trade Select Committee consider these issues.

1. The expansion of intellectual property rights threatens to curtail Pharmac’s ability to procure generically manufactured pharmaceuticals at affordable prices. Patients experiencing serious mental illness (SMI) are already financially disadvantaged, have poorer access to medicines and have limited treatment options (Monasterio, 2014). Most patients with SMI require commonly used pharmacological agents to control symptoms and optimise their function within society.
2. We note that chapter 26 of the TPPA provides opportunities for foreign pharmaceutical companies to seek review of PHARMAC’s decision-making (Keating, 2016). We strongly advocate for an in-depth assessment on how these policies will impact on PHARMAC’s role and the potential cost associated with these policies.

3. The RANZCP strongly urges the Government to undertake a HIA so all New Zealanders can have a clear understanding of the effects of the TPPA on current and future policy developments. For example, we are concerned about the Investor-state-dispute settlement clauses in the TPPA and how such policies will impact on the sale and promotion of alcohol in New Zealand. The excessive consumption of alcohol causes significant harm to both the individuals using this substance and those around them (NZMA, 2015b). While clauses in the TPPA permit regulations around the sale of alcohol there is no such regulation governing the advertising and promotion of alcohol (Keating, 2016). Conceivably if the New Zealand Government were to prohibit alcohol advertising then the alcohol industry could argue this policy constitutes a restraint of trade.

4. Obesity is another public health issue that concerns the RANZCP. Obesity is linked to poor mental health such as erosion of self-esteem leading to anxiety, social isolation and serious mood problems (NHS, 2011). The RANZCP seeks assurances that marketing of energy dense – nutritionally deficient foods could be curtailed without the food industry challenging the Government’s public policy initiatives.

The TPPA is a complex document. As medical specialists, we urge the Government to undertake a comprehensive analysis of the TPPA to assess the impact of this trade agreement on public health and future health policies. The provisions of the TPPA require this level of scrutiny as the trade agreement will have a significant long-term impact on New Zealand's future.

If you require further information regarding this submission, please contact the RANZCP’s New Zealand Manager, Rosemary Matthews who supports the New Zealand National Committee. Rosemary can be contacted on 04 472 7265 or by email Rosemary.Matthews@ranzcp.org.

Yours sincerely

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Chair, New Zealand National Committee / Tu Te Akaaka Roa
References


National Health Service (2011) National Obesity Observatory - Obesity and Mental Health, March 2011

