

133 Molesworth Street  
PO Box 5013  
Wellington 6140  
New Zealand  
T+64 4 496 2000

21 April 2026

Alisha Riley

By email: [fyi-request-34198-0f05edbf@requests.fyi.org.nz](mailto:fyi-request-34198-0f05edbf@requests.fyi.org.nz)

Ref: H2026080414

Tēnā koe Alisha

## Response to your request for official information

Thank you for your requests under the Official Information Act 1982 (the Act) to the Ministry of Health – Manatū Hauora (the Ministry) on 21 and 22 March 2026 for information regarding Community Water Fluoridation: NZBORA analysis. Please find a response to each part of your request below.

*I am writing to request some information under the Official Information Act to help me better understand the methodology used to assess safety in the "Community water fluoridation: New Zealand Bill of Rights Act analysis" (Appendix 1, dated November 2024).*

*On page 13 of this November 2024 analysis, the document assesses the safety of the mandate, stating that "The Oral Health Survey indicated that fluorosis prevalence is not increasing" and concludes that the policy "does not give rise to significant health risks." To ensure I am reviewing the correct data methodology that informed this specific conclusion, could you please provide the following:*

### **1. Clarification of Source Data:**

*Please explicitly confirm the specific year and publication title of the "Oral Health Survey" that the Director-General is referencing in the above quote on page 13 to conclude that fluorosis prevalence is not increasing. (e.g., Is this referencing the 2009 New Zealand Oral Health Survey, or a different dataset?)*

I can confirm that this is referencing the 2009 New Zealand Oral Health Survey.

### **2. Internal Briefings Provided TO the Director-General:**

*Assuming the reference points to the 2009 Oral Health Survey (where clinical decay was surveyed from ages 2 to 75+, but fluorosis data was restricted solely to ages 8–30), please provide any internal memo or working document submitted to the Director-General prior to the finalisation of the November 2024 analysis that explains how the safety of the mandate was assessed for children aged 0–7 and adults aged 31+.*

### **3. Location within the Published November 2024 NZBORA Analysis:**

*I am unable to locate where this specific demographic data exclusion (the absence of fluorosis data for the 0–7 and 31+ cohorts) is disclosed to the public. If this methodological*

limitation is recorded within the final published November 2024 analysis, please provide the exact page and paragraph numbers where it can be found.

**4. Confirmation of Omission:**

*If the exclusion of the 0–7 and 31+ demographics from the primary fluorosis safety data was neither briefed internally to the Director-General (as per Question 2) nor recorded in the final published November 2024 NZBORA analysis (as per Question 3), please explicitly confirm this omission.*

**5. The Longitudinal Safety Data (The "Not Increasing" Metric):**

*To establish that a prevalence is "not increasing" requires a comparative longitudinal assessment between at least two points in time. Please provide the specific subsequent clinical survey, dataset, or contemporary surveillance reporting from between 2010 and November 2024 that the Director-General compared against the 2009 baseline to legally conclude on page 13 that the prevalence "is not increasing." If no such contemporary comparative dataset was provided to the Director-General, please explicitly confirm this omission.*

*Regarding the "Community water fluoridation: NZBORA analysis" published in November 2024, please provide the following information under the OIA:*

In response to questions 2, 3, 4 and 5 of your request, please note that all information provided to the Director-General of Health (the Director-General) in relation to the consideration of community water fluoridation under the New Zealand Bill of Rights Act 1990 is publicly available through the following link: [www.health.govt.nz/information-releases/director-general-of-health-consideration-of-community-water-fluoridation-under-the-new-zealand-bill](http://www.health.govt.nz/information-releases/director-general-of-health-consideration-of-community-water-fluoridation-under-the-new-zealand-bill) Therefore, section 18(d) of the Act applies to these parts of your request.

**1. The Statistical Formula:**

*Please provide the specific mathematical formula, weighting, or protocol used to correct the 2022 Community Oral Health Service data for the "unequal provision of dental services" and "uneven geographic distribution" admitted to in Footnote 3 (page 3, Appendix 1).*

**2. Confirmation of Non-Adjustment:**

*If no mathematical weighting or demographic corrections were applied to this "unreliable" clinic-attendance sample before it was used to justify a Section 5 NZBORA human rights breach, please confirm this in writing.*

**3. Reliability Briefings:**

*Please provide all internal memos, risk assessments, or briefings provided to the Director-General discussing the "unreliability" of the 2022 dataset.*

**4. The Accepted Margin of Error:**

*Please provide the specific "margin of error" the Ministry accepted when using this clinic-attendance sample to calculate the "proportionality" of the 14 directions.*

As noted above, all information provided to the Director-General of Health (the Director-General) in relation to the consideration of community water fluoridation under the New Zealand Bill of Rights Act 1990 is publicly available on this page: [www.health.govt.nz/information-releases/director-general-of-health-consideration-of-community-water-fluoridation-under-the-new-zealand-bill](http://www.health.govt.nz/information-releases/director-general-of-health-consideration-of-community-water-fluoridation-under-the-new-zealand-bill)

**5. Broken Evidentiary Link:**

Footnote 3 (page 3) directs the reader to a specific Discussion on the Limitations of the Data

at <https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.ehinz.ac.nz%2Fassets%2FReports%2FOral-Health-Perspective.pdf&data=05%7C02%7Coiagr%40health.govt.nz%7C0e2d96e4fe464942d8e208de87d81915%7C23cec7246d204bd19fe9dc4447edd1fa%7C0%7C0%7C639097559392087579%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjA uMDAwMCIslIAiOiJXaW4zMilslkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C80000%7C%7C%7C&sdata=Qpp9UnVN9koB2nSHulksRmsAaecs4B7PotlnDZJwuCU%3D&reserved=0>

This link is currently broken and returns a "404 Error." Please provide the full, original document that was intended to be reached by that link at the time the Director-General signed the November 2024 analysis.

The above mentioned document is now publicly available using the following link: [ehinz.ac.nz/indicators/water/drinking-water-quality/oral-health-of-children/](https://ehinz.ac.nz/indicators/water/drinking-water-quality/oral-health-of-children/).

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: [oiagr@health.govt.nz](mailto:oiagr@health.govt.nz).

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](https://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests)

Nāku noa, nā



Barbara Burt  
**Acting Group Manager, Public Health Strategy and Policy  
Public Health Agency and Mental Health Group**