

## Proposed Organ and Tissue Donation (Scotland) Bill

#149



**COMPLETE**

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### PAGE 2: Proposed Organ and Tissue Donation (Scotland) Bill Consultation

**Q1: The overarching purpose of my proposal is to move from the current opt-in system to a soft opt-out system of organ donation. Do you support this move? Please indicate "yes/no/undecided" and explain the reasons for your response.**

No,

Please give your reasons for your response:

1. No, I do not support moves to a 'soft opt-in'. It is a difficult enough situation already – we have to retain the confidence of the family involved and this can already be challenging. Anything which further suggests to the family – who are already in a distressed state – that care may be less about their relative and more about potential organs would make the situation even more fraught. I believe we need to leave the family with some authority / order / responsibility in the process. If they feel unable to consent to donation then unfortunately that is how it has to be. Have the people behind this proposal actually stopped to consider what relatives are going through at this time??

**Q2: How essential is it to change the law (from an opt-in to a soft opt-out system) in order to achieve the intended benefits (increased transplant rates, reduced waiting lists)? Are there other (non-legislative) measures that could achieve similar outcomes without the need for legislation?**

Repeated emphasis on education, schools, drivers, TV, 'carrying a card' is a powerful message to relatives (or being on the register!) and much less confrontational than an automatic assumption..... Opt-in is a socially responsible action but over which the individual retains ultimate say.

**Q3: I believe the role of the family should be limited to being consulted on whether they are aware of any (unregistered) objection by the deceased rather than asking for their consent. Do you agree? Please indicate "yes/no/undecided" and explain the reasons for your response.**

No,

Please give reasons for your response:

No, see response to Q 1. The family are already in a very traumatic situation. Any further erosion of their role, their ability to feel they are 'safeguarding' their loved one is undesirable. We have a clear role in supporting the grieving family through this process. Not aggravating it further! The pressure on the family is already enormous - they will just have been told that their loved one is going to die. To simply add 'and by the way we are taking organs' will simply add to their distress and may well establish feelings that 'not everything has been done..... they weren't interested, they only wanted the kidneys' I do not think these aspects have been considered, easy suggestion to make but no consideration of the sharp end situation

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**Q4: Do you think an individual should be able to appoint a proxy to make the final decision regarding transplantation on their behalf? Please indicate "yes/no/undecided" and explain the reasons for your response.**

No,

Please give reasons for your response:  
Strange question – if they have appointed a 'proxy' then by definition they have discussed the issue and expressed a view. The family should retain their effective 'veto' role unless another clear NoK has been designated.

**Q5: My proposal is that only adults should be automatically opted-in to be a donor. Younger persons would have to register to be a donor, by themselves or with parental consent as they currently do. This approach is I believe the best way to safeguard children and young people. Do you agree? Please indicate "yes/no/undecided" and explain the reasons for your response.**

No,

Please give reasons for your response:  
I don't understand how we can 'assume' a decision for a previously competent adult but not assume a decision for a child who may never have had competence to consent? How is 'making a decision for your adult loved one' any different from 'making a decision for your child'? Are you proposing a veto on the decision to take organs from your child but not from your partner?? Not thought through

**Q6: Do you agree the age limit for an adult should be set at 16 years old? Please indicate "yes/no/undecided" and explain the reasons for your response.**

No,

If you answered no, what would you consider a more appropriate age?  
see above

**Q7: Do you agree the soft opt-out system should apply to people who have been resident in Scotland for a minimum period of 1 year prior to their death? Please indicate "yes/no/undecided" and explain the reasons for your response.**

Please give reasons for your response:  
No, see above, I don't agree with an 'opt-out'

**Q8: If you answered no to the above how long, if any, should this period of residency last before they become subject to the soft opt-out system? Would this residency need to be for a continuous period?**

8. No, you are making assumptions in the question that are not realistic. A 'no' to 'opt-out' means 'no residence period'. Badly worded question

**Q9: Do you think 6 months is a long enough period to run a campaign prior to change over?**

see above

**Q10: What is your assessment of the likely financial implications (if any) of the proposed Bill to you or your organisation? What (if any) other significant financial implications are likely to arise?**

10. My concern is that it will expose front line staff to potentially greater conflict with families at a time when they are already very distressed. To make a difficult time for them even more unpleasant – how do you put a cost on that?

**Q11: Is the proposed Bill likely to have any substantial positive or negative implications for equality? If it is likely to have a substantial negative implication, how might this be minimised or avoided?**

*Respondent skipped this question*

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**Q12: Do you have any other comments on or suggestions relevant to the proposal?**

I do not believe that the person behind this has any concept of the real scenario of what happens. No idea of the stress for relatives and staff at present and hence poorly thought-out proposals to aggravate the situation

### PAGE 3: Contact Details

**Q13: If you wish your response, or any part of it, to be treated as anonymous and/or confidential, please check the appropriate box. If not, then please go to question 14.**

Anonymous

**Q14: Thank you for completing this survey. Please provide your name and contact details below.**

Name

Company

Address

Address 2

City/Town

State/Province

ZIP/Postal Code

Country

Email Address

