

#227

**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:  
I am not convinced that safeguards to prevent removal of organs from people who are not competent are sufficient. Loss of competence may occur after the "opt-out" system is up and running and families will be unable to prevent removal of organs in these circumstances. Also I believe that donation of organs should remain an altruistic decision by the donor and/or donor's family and not a state controlled function.

**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?**

I do not think a change in law is essential, but rather increased education and raised awareness among the general population of the need for donors to improve the number who "opt-in". The grand scale of publicity and media involvement in the current Referendum debate as shown how widespread involvement by the general public has occurred. Organ donation by opt-in could benefit from such a campaign.

**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:  
The role of the family does not end when a loved member dies. Respect for the wishes of the deceased but also of the close relatives are paramount in a caring society. The state should not assume a controlling role over a citizen's body after death. The family is the building block of a civilised society and the wishes of relatives should not be overruled.

**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.**

Yes,

Please give reasons for your response:  
As in appointing someone with "Power of Attorney" for financial and social care needs, appointing a Proxy to ensure a person's organ donation wishes are carried out would seem responsible where there are no immediate family members to do this for them. It would require to be legally and safely set up to prevent misuse of the power.

**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.**

Yes,

Please give reasons for your response:  
I don't agree with opting-in adults without their confirmed consent. I agree that as at present, younger persons would have to register to be a donor.

**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?  
I think that as in Wales, 18 years is a more appropriate age. Also parents and families of an 18 year old who had opted-in, would be more likely to accept that decision at that age rather than 16 years.

**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.**

No,

Please give reasons for your response:  
I do not agree with the soft opt-out system.

**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?**

Irrelevant

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

Definitely not.

**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?**

There will be substantial raised costs in introducing this proposed new system and in the increased costs for providing the necessary health professional and facilities for providing the increased number of transplants this system proposes will happen. With the NHS stretched to capacity at present, with insufficient beds for current treatments, huge investment is required.

Increased organ donation can also be achieved at a lower cost by keeping the law unchanged but improving advertising campaigns.

**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?**

Negative implications for equality would happen when the state seeks to overrule a person or family's right to refuse to be an organ donor by virtue of their religion or culture. The Human Rights of the individual or family may be breached by the proposed soft opt-out system.

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

Spend the money on raising awareness of current needs for donors under the present legislation rather than introducing a whole new ideology.

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.**

*Respondent skipped this question*

**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

