

## Proposed Organ and Tissue Donation (Scotland) Bill

#37



**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.**

Yes,

Please give your reasons for your response:  
There are clear benefits to be gained (and lives to be saved) with very few negative consequences.

**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?**

It is pivotal. People are too busy with their own day to day lives to think about what will happen with their body once they die. Many people will likely never opt-in purely out of omission rather than choice.

**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.**

Yes,

Please give reasons for your response:  
Having said yes I can understand that some people's sensibilities are different from my own, but in my opinion one's body is one's own - families shouldn't be allowed to dictate whether or not a person's body should be used to save lives unless they are expressing that person's wishes.

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

Undecided,

Please give reasons for your response:  
I am not sure I see the point in this. If one has made the conscious decision to appoint a proxy, they likely know fine well how they wish their body parts to be used once they are deceased, in which case a proxy seems superfluous.

**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'm not sure what you would be safeguarding them from? If they are deceased, what are we meant to be protecting? If a child is against the thought of their organs being used once they die, they should of course be allowed to opt-out, as with anyone else. In my mind, if the converse situation were to apply, you might be excluding a potentially large and important source of organs for those that really need them. If we are to think about this honestly, how many children do you think will be socially aware/conscientious enough to actively opt-in?

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**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.**

Yes,

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

I disagree with differentiating adults from children in principle, however if it is decided that the policy is to have a distinction, I would agree that 16 is a suitable age.

**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.**

Undecided,

Please give reasons for your response:

If someone has been resident for over a year, there is a strong chance they have chosen Scotland as their home. Likewise, anything less than a year will be indicative of a holiday or a temporary stay. There is, however, an issue with students. Can we really say that those who choose to live in Scotland in order to complete a four year degree have really chosen Scotland as their home? I think there should be a carve-out for students, whereby the law of their home country would dictate whether or not an individual's organs could be donated.

**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?**

N/A

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

Yes.

**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 are no financial implications for myself or my organisation.

**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?**

I do not know.

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

No.

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Q13: If you wish your response, or any part of it, to be treated as anonymous or confidential, please check the appropriate box and state the reason for this. If not, then please go to question 14. If I accept the reasons, I will publish it as "anonymous response" or only publish the non-confidential parts of the response. If I do not accept the reasons, I will let you know and give you the option of withdrawing it or submitting it on the normal attributable basis.

*Respondent skipped this question*

**Q14: Thank you for completing this survey. For the purposes of the consultation, it would be helpful if you could provide your contact details.**

Name

Address

City/Town

ZIP/Postal Code

Email Address

