

Is presumed consent the future for Organ Donation in the UK?

- The Human Transplantation (Wales) Act 2013 will introduce 'soft' presumed consent in Wales by December 2015.
- Welsh residents over the age of 18 with capacity will be presumed to have consented to donation of their organs on their death.
- The Act intends to increase the number of available organs by 25%.
- According to the National Health Service Blood and Transplant Authority, the UK has one of the lowest organ donor rates in Western Europe, with an organ donor ratio of only 18.5 organ donors per million.
- 3 patients die every day waiting for an organ to become available.
- Currently, in England and Wales should a person wish to donate their organs on their death they choose to opt in.
- Presumed consent is supported by the British Medical Association but rejected by the Organ Donation Taskforce 2008
- Presumed consent is based on a compelling public policy rationale reversing the onus so that a person opts out should they not wish to donate their organs on death.
- Presumed consent introduces a sense of reciprocity as well as communal interdependence and responsibility.
- Although there is no guarantee that organ donors numbers will increase, those countries with presumed consent, for example, Spain, Croatia and Portugal tend to have higher numbers of organ donors.
- Although rejected, it is argued that presumed consent removes the concept of altruism.
- Needs to be a sufficient education programme to ensure that organs are not removed contrary to the deceased's wishes.