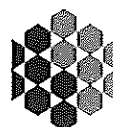


FROM THE MINISTER FOR HEALTH,
SOCIAL SERVICES AND PUBLIC SAFETY



Department of
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and Public Safety**

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Our Ref: COR/0042/2016
COR/0081/2016

Date: 26 January 2016

Dear

MAEVE

Human Transplantation Bill

I refer to recent correspondence from the Committee on the Bill, regarding "family consent", the impact of removing clause 4 from the Bill and possible draft amendments.

Following Second Reading Stage my officials had embarked on endeavouring to find ways to amend and improve the Bill as drafted. However the evidence from experts who have attended the Committee's hearings and your own deliberations appear to have taken the Committee in a different direction from the central premise of the Bill as debated. I am not offering any view on your deliberations other than to note them.

As my Department is not clear around the Committee's intentions on these central clauses, it would be helpful to the Department if the Committee would clarify its position on both the intended meaning of "primacy of family consent", as well as the type of organ donor system it intends the Bill to introduce.

The views of a loved one on organ donation are a sensitive matter for a family to be asked to deal with at a time of great emotional distress. This is therefore a complex issue that clinicians have to carefully consider when approaching families. I would expect the Committee to tread carefully before suggesting any change that would potentially undermine or unnecessarily complicate the current excellent system that clearly works in the interests of both the donor family and the recipient of the donated organs. In this respect you will have seen NHSBT's statement on 15 January 2016 that more than 500 families in the UK have said no to organ donation taking place since 1 April 2010 despite knowing or being informed their relative was on the NHS Organ Donor Register and wanted to donate. These family refusals have resulted in an estimated 1,200 people missing out on a potentially life-saving transplant.

Yours sincerely

Simon Hamilton

SIMON HAMILTON MLA