

**Royal College of Physicians of Edinburgh**  
**Northern Ireland Assembly**  
**Committee for Health, Social Services & Public Safety**  
**Call for views on the Human Transplantation Bill**

The Royal College of Physicians of Edinburgh (“the College”) is pleased to respond to the Committee’s call for views on the Human Transplantation Bill.

**Clause 1**

The College notes that Clause 1 of the Bill refers to promoting transplantation and providing information about transplantation. The College views public education as essential in raising levels of organ donation as “opt out” legislation alone may not be the major determining factor in this regard: some countries with “opt in” systems still have higher organ donation rates than countries which have adopted “opt out” legislation<sup>1</sup>. A higher rate of organ donation will reflect increased public awareness, societal attitudinal change to donation, and improved infrastructure to support families and clinical teams at the time of organ donation.

**Clauses 3, 4 and 10**

Clauses 3, 4 and 10 refer to the role of families in the process of organ donation. It is vital that the proposed legislation has the appropriate checks and balances to maintain public confidence in the importance of the role of close family: this would be quickly undermined if family did not continue to play a key role in decision making. The family should always be consulted about the request to harvest organs and asked about the expressed wishes of the deceased.

There are differing opinions within the medical profession and society at large regarding an ‘opt-out’ system. Some believe that “opt-out” legislation effectively means acquisition by the State of organs, and removal of the altruistic aspect of donation is of real concern to some of our Fellows, who feel that bereaved families take great solace from an active act of giving. These and other ethical issues have prevented the global adoption of presumed consent legislation.

For reference our previous written evidence on this subject is available at:

<http://www.rcpe.ac.uk/consultation-response/consultation-bill-change-organ-donation-system-northern-ireland>

**All College responses are published on the College website [www.rcpe.ac.uk](http://www.rcpe.ac.uk).**

Further copies of this response are available from Lesley Lockhart (tel: 0131 225 7324 ext 608 or email: [l.lockhart@rcpe.ac.uk](mailto:l.lockhart@rcpe.ac.uk))

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Figure 1

