

Health and Social Care Committee  
Human Transplantation (Wales) Bill  
HT(Ind)99 – Sarah Gardiner

15.01.13

Dear Ms Sargent,

I'm writing to register my opposition to introducing planned consent for organ donation in Wales or any other part of the United Kingdom. This would be an extremely serious development, rendering organ donation no longer in any way 'voluntary' and overturning the idea of organ donation as a free gift. In practical terms, it would make the body the property of the state, not the individual. This, especially when taken in conjunction with the increasingly serious concerns about the current definition of death, is extremely disturbing. At what medical stage might the state in future find it expedient to consider a person 'dead'? Already, as David W Evans MD, FRCP has noted:

"the basis upon which a mortally sick patient is declared "deceased" – for the purpose of acquiring his or her organs for transplantation without legal difficulties – is very different from the basis upon which death is ordinarily diagnosed and certified and that highly relevant fact is not fully and generally understood."

There is also evidence that presumed consent does not necessarily result in more organs available for transplantation, whilst it does fundamentally alter the meaning of the word 'consent'.

The proposed bill will give families little or no say in what happens to their loved ones and amounts to the legal imposition of State ideology. The drastic reduction in family involvement is especially horrifying considering the growing controversy over the definition of death. Will families have to allow their - in their eyes - living relative to be wheeled away, paralysed with drugs, anaesthetised and dismembered?

The immediate and future consequences of bringing in implied consent are so morally dubious and fraught with ethical danger that the government should concentrate on promoting genuinely voluntary organ donation, with appropriate engagement - and transparency - about the ethical demands surrounding the definition of death.

I hope you will oppose this bill in its entirety.

Yours Sincerely,

Sarah Gardiner