Transplantation (Authorisation of Removal of Organs etc.) (Scotland) Bill

NHS Highland

Organisations and individuals are invited to submit written views to the Committee in relation to the inquiry remit. Those submitting views should feel free to address the issues in whatever manner they prefer, but it would be appreciated if they could attempt to address the questions set out below—

1. Do you support the Bill?

   NHS Highland is cognisant of the widespread opinions among interested parties and professional groups. In view of a lack of consensus, NHS Highland neither supports nor opposes the bill currently.

2. Do you think the Bill (if enacted) would achieve its aim of increasing the number of organs and tissue made available for transplantation in Scotland? Please provide an explanation for your answer.

   It is uncertain if the bill would achieve its aim. Published evidence on the effect of opt-out systems of consent for organ donation is conflicting and often include significant confounding factors.

   We would welcome a further period of observing other jurisdictions to establish the relative risks and benefits of an opt-out system.

   We acknowledge the reported benefit to grieving families of the gift of life and are wary that this would be diminished if their contribution to the decision making process was reduced.

   We note the difficult relationships between health professionals and relatives during discussions about end of life caring. We believe that an opt out system of consent for organ donation is likely to alter these relationships to their detriment.

3. Do you support the proposal of appointing a proxy? Please provide an explanation for your answer.

   No. We believe that defining an appointed proxy is likely to complicate the pragmatic arrangements that are often necessary at the time of bereavement.

4. Do you have any comments on the role of “authorised investigating persons” as provided for in the Bill?

   We note that this role was insufficiently defined to gain support from the Scottish Donation and Transplant Group and share their concerns about the practical implementation of the role.
5. Is there anything in the Bill you would change? If yes, please provide more details.

We would welcome alternative strategies to those proposed in the bill, which support the existing organ donation strategies, including the continuation of publicity and media campaigns which highlight the benefit of Organ donation.