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

NHS Lanarkshire

1. Do you support the Bill?
   - NHS Lanarkshire supports the Bill.

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:
   - We believe that the Bill, if enacted, will increase the number of organs available for donation as it changes the onus of donation from the position where the surviving relatives have to make a positive decision to allow donation, to one where it is expected that organs will be donated as a routine and the grieving relatives don’t have a major decision to make at a time of great stress. In many ways it removes a source of further stress from the relatives, and the evidence is that it does increase rates of organ donation. Also in the aftermath of losing a relative or friend, we know that for some families it is a comfort that the death of a love one has given the gift of life to people waiting for a transplant. Finally we would argue that this Bill, if enacted, would complement the other actions needed to ensure that the number of organs and tissues available for transplantation are increased such as education and training of appropriate staff, the use of the Specialist Nurses - Organ Donation (SNODs), health board Organ Donation Committees, and on-going work of NHS Blood and Transplant (NHSBT).

3. Do you support the proposal of appointing a proxy? Please provide an explanation for your answer:
   - We are unconvinced about the need for a proxy as we do not know how this differs from having a relative who needs to be consulted as at present. If there is evidence that by doing this the numbers of donor increase then we would not necessarily be against such an approach.

4. Do you have any comments on the role of “authorised investigating persons” as provided for in the Bill?
   - We believe it would be necessary to have an objective person present to ensure that the deceased had not expressed an unwillingness to donate, and if there was no “authorised investigating person” then there may be the possibility of the organs were taken inadvertently because no one had taken the time or responsibility to check. We believe this is a sensible and useful safety net.

5. Is there anything in the Bill you would change? If yes, please provide more details:
   - There is nothing else in the Bill we would change.

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