

## SOCIAL &amp; ETHICAL ISSUES GROUP

## ORGAN DONATION – A CHOICE?

**For**

This law has been introduced to increase the opportunity for people to receive the organ or tissue they desperately need from one whose life is no longer viable, and thereby to increase the number of organs available for transplantation.

Only a very small number of people who die are suitable to donate their organs, around 1%. This means that every chance for donation is very precious to the person who will receive that donor organ.

**How many organs?**

The number of people signing up to donate their organs was previously in the region of 58% of the population, therefore out of a population of 1000 people, with 58% consenting, that would represent 580 likely to be available for organ donation. Now, with the need for people to opt out it is hoped that there will be a significant increase in the organs available. For example, if no one opted out in a population of 1000 that would mean 1000 organs available for transfer and if 100 people opted out then 900 organ donations would still be available.

People tend to be very apathetic about signing up to organ donation. Even though they think it is a good idea, they never quite get round to it.

Often the people whose organs are fit for use are young and previously healthy, having died suddenly following a car accident for example. Being able to donate their organs allows the family who are left to find something positive in the loss of their loved one by giving someone else the chance of life.

**Protections in place**

The new law protects vulnerable groups who may not have capacity or understand what they are doing in not opting out. Family and friends will still be consulted about donation of organs and if they feel the person who has died would not have wished to donate it will not go ahead.

Since last month Scotland has a new law on organ and tissue donation. Now, the law assumes that everyone is willing to donate organs after death, unless they have previously recorded their desire to opt out.

This month we present different perspectives on the issue from two members of the social and ethical issues group.



There is a clear ability to record your wishes on the NHS organ donor site and people are encouraged to complete this and to inform their family and friends of their choice in case of death. This then clears any doubts.

Prior to burial or cremation, the person who has the organs or tissues removed does not look different or damaged as a result of their removal.

After death our bodies start to decay immediately because the tissues are no longer oxygenated. If we are able to save a life by gifting what is no longer sustaining life in its original body, and the donor and family have not expressed their wishes to the contrary, then that would seem the right thing to do.

**Against**

What is a gift? It is of course something given voluntarily and without coercion. Organ donation usually meets the definition of a gift, whether it is a parent sacrificing a kidney for a child or a friend donating part of a liver.

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## Organ Donation, continued

This new system of presumed consent - that is being required to opt out from being an organ donor - fails to meet the definition of a gift. It is now an obligation, a requirement of the state, that everyone's body after death should, unless dissent has previously been recorded, be available to harvest their organs: the possibility of legitimised spare parts surgery. This new practice represents the state over-reaching its powers. Do human rights cease after death? When does personal autonomy end?

The principal argument in support of this new system is that there is ample opportunity for people to opt-out during their lives. However there are many groups of people who may fall through the opt-out net: the homeless, those with mental health problems, ethnic minorities, the disorganised always intending to opt out, elderly who are not aware of the legislation or who don't know how to opt out. Even the most extensive publicity campaign is never 100% effective.

In other countries where this system has been introduced there is no conclusive evidence that the supply of organs has been enhanced.

There are possible clinical issues resulting from a presumed consent system. Even with the best of intentions, will there be different approaches to end-of-life care for patients who are, or are not, organ donors?

The previous system of opt-in organ donation allowed the deceased person's family to identify with the deceased's decision. The opt-out approach creates an element of uncertainty and anguish for the family in their discussions with medical staff. Did the deceased really wish to be an organ donor, or just failed to opt out?

Silence, in this context, does not necessarily indicate consent.

## In His Image, a Biblical Introduction to Social Ethics

Written by Stephen McQuoid of Gospel Literature Outreach, **In His Image** addresses some of the issues which challenge the Christian basis of our society. Gender, sexuality, family, marriage, abortion all come under his consideration. He deals with each of these ethical battlegrounds uncompromisingly but also compassionately.

The book is a helpful analysis of current topics, and the Christian response to them, written for the general reader.

*Available from Amazon in either hard copy or Kindle edition.*

## ELECTION RESOURCES

With the Scottish Parliament election imminent. A number of Christian organisations have again published advice on how we might consider some of the issues.

### On-line hustings

Organised by the Evangelical Alliance, a number of candidates, including Kate Forbes and Murdo Fraser, will be questioned on their parties' policies. You can submit questions in advance. Find out more [here](#).

### CARE

A comprehensive guide to policies, a complete list of candidates, and voting records of MSPs. Find it [here](#).

### Christian Institute

As usual, the CI present a detailed analysis of the issues and the Christian approach to them. Find it [here](#).

### Scottish Churches Parliamentary Office

Included in this analysis are wider social issues such as alcohol & drugs and migration. Find it [here](#).

