

Health and Social Care Committee  
Human Transplantation (Wales) Bill  
HT(Ind)42 - Christopher G. Ross

I am writing on behalf of St Bernadette's Catholic Parish, Larbert, Stirlingshire (1400 strong) in response to the Welsh Assembly Consultation on this issue.

We oppose the concept, indeed the oxymoron, of "presumed consent". Consent has to be informed and freely given for it to be consent at all. "Presumed consent" is an extremely dangerous concept, and wide open to abuse in this and other areas.

Voluntary organ donation we would not oppose, but it is absolutely vital that the donor is actually truly dead, and not just deemed to be brain dead. Otherwise the removal of the vital organs for donation is murder of the donor.

The correct approach if you wish to increase organ donations is to develop and enforce very strict guidelines on definition of death, which then provides reassurance to voluntary donors.

If you cannot do this, or are unwilling to, or do not think that rules of this nature would be respected and followed in both spirit and letter, then you may well have a major problem with attitudes in the Health Service and in the Assembly, and maybe society itself.

It is not right for the state to claim this automatic power over people's bodies, after or even before death, and to override the family and next of kin. It is also very wrong for all the agencies of the state to pressurise and overbear on potential donors when they are at their most vulnerable, ie almost at the point of death.

This Bill then goes on to attempt enshrine itself permanently in Welsh Law by imposing a duty on the Welsh Ministers to promote organ transplantation including presumed consent. This would have the effect of making it legally difficult for a future Minister who might be opposed to the Bill, to organise a repeal of it. As I have pointed out, the whole concept is wrong headed, and is likely to have other unintended consequences.

Our Parish of St Bernadette's here in Scotland is taking part in your consultation because as Catholics and people of conscience we are duty bound to speak out in defence of life, from conception to natural death. We take a friendly and supportive interest in all the countries of the UK. Besides, proposals made in the Welsh Assembly tend to be copied by the Scottish and UK Governments and vice versa, and so it will affect us directly.

Much Obligated,

Christopher G Ross

Stirlingshire