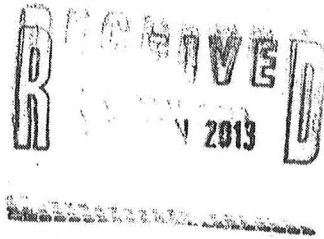


**Health and Social Care Committee
Human Transplantation (Wales) Bill
HT(Ind)57 – Robert Strinati**



Whilst I support human organ transplantation in principle, I write to register my opposition to the draft bill of the Welsh Government on “deemed” consent in the removal of organs without the explicit consent of the “donor” and ask you to consider the following points. Deemed consent is no consent at all and has major implications for other legislation. It ignores the essence of donation which is that of a free gift, to say nothing of the “ownership” and “autonomy” of the human body – even in death. We are not the property of any government. Organ donation should be a free gift, not a legal obligation.

The word “deemed” is deliberately confusing. Relatives will have little or no say about the integrity and well-being of their deceased relations. The consultation document on the draft bill reads: “In deemed consent cases (people close to the deceased) ... are not required to give their consent to the donation”. Is the general public aware of this ?

Spain is often cited as a country where ‘presumed consent’ has been successful. Professor Rafael Matesanz (founder of the transplantation service) in his article in the British Medical Journal 2010, entitled Presumed consent: a distraction in the quest for increasing rates of organ donation said “in fact what Spain has shown is that the highest levels of organ donation can be obtained while respecting the autonomy of the individual and family, and without presumed consent.” Informed consent has led to the donation rate in Wales increasing by 50% in recent years. Wales is second only to Spain in it’s donation rate of 27.7 per million of the population which compares favourably to that of Spain with 34 donors per million of the population.

Working parties such as the U.K. Organ Donation Taskforce and the Wales Organ Donation Implementation Group have come out against presumed or deemed consent. Why has the consultation in Wales since December 2011 been so rushed with so little desire to inform and receive the considered views of the population at large?

A handwritten signature in black ink that reads "Robert Strinati". The signature is fluid and cursive.

Robert Strinati

