

Health and Social Care Committee  
Human Transplantation (Wales) Bill  
HT(Org)14 - Clinical Lead Organ Donation, Cwm Taf Health Board

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## **Health and Social Committee**

Dear Sir

### **Re: Consultation on The Human Transplantation (Wales) Bill**

After its establishment at the beginning of 2010 The Cwm Taf Organ Donation Committee has began its work on organ donation. The main objective of the Committee was to fully comply with the Organ Donation Taskforce's recommendations and to increase the number of organ donations.

The Committee has implemented Organ Donation Policy across the health board.

Strong links between Committee Chair, SNODS, CLOD and their counterparts on regional levels have been established either through individual contacts or regional working group - initially WODIG and later as Regional Collaborative Group.

To increase the awareness of organ donation between staff, an intensive education across the LHB has taken place including meetings with nursing staff and doctors in ITU and Emergency Department, the regular presentation of data from the Potential Donor Audit, and 'Ground Round' presentations for trainees and senior doctors.

While it was commonly accepted that the donor potential for Cwm Taf LHB may be lower than in large hospitals the main objective was to increase referral rates, and to reassure that no potential donors had been missed.

As a result of that tremendous effort some decent increase in referral rates has been recorded over last 3 years. There were 9 donors in Cwm Taf LHB who donated 16 organs in total.

As a person who is actively involved in organ transplantation and donation issues I strongly support every initiative which would lead to an increase in the number of organ donations.

In relation to the Human Transplantation Bill:

### **Section 2 - Relating to the promotion of transplantation**

Introducing this legislation would allow an increase in awareness of the public and also increase consent rates for donation. Several initiatives to promote transplantation have been undertaken on local level in Cwm Taf LHB

including presentations to medical staff and medical students. There are also plans to give presentations in schools. It may be worth the Committee considering whether the promotion of organ donation should become obligatory part of educational programmes.

### **Section 3-8 Relating to lawful transplantation activities and consent**

It's commonly known and accepted that organ donation is particularly difficult area of clinical practice. While introducing 'soft' opt-out system may result in increased number of transplantations, it will certainly impose additional burden on medical practitioners.

The coexistence of two different systems within the UK will require clear identification who is or who is not permanent resident in Wales, especially if no relatives of a deceased person are available.

In relation to subsection ( 3 )(a) (b) of section 3 - it is important to identify valid consent for removal of the tissue, obtained in the country where the relevant material was imported from, and the evidence exists to prove it.

Over last 3 years emphasis has been put on clinical training to increase consent rates for transplantations, therefore it is of particular importance to create legislation which will be transparent and clear, especially concerning valid consent. Otherwise some clinicians may feel discouraged from obtaining consent for donation. Having said that, my personal opinion is that the proposed legislation would not impose many changes in the process of obtaining consent compared with the current opt in system.

### **Section 9-11 relating to offences**

It is recognised that a person is liable for his /her actions, but that a person should also have confidence of being protected by law when acting rightly , without leaving grey areas for different interpretations.

I hope that the new legislation would strengthen the foundation of organ transplantation in Wales, which was established a few years ago after introduction Organ Donation Taskforce recommendations, and it would allow further increase in organ donation activity. It is also equally important for medical professionals to stay reassured that the law protect them if they do right things in the right way.

Yours sincerely,

Dariusz Tetla