

## Are we ready for presumed consent for organ donation?

There have been calls for an opt-out organ donation system but we must consider the ethical issues of this, says Ruhi Behi

Gordon Brown is in favour of presumed consent for organ donation. He believes that many more lives will be saved if the UK adopts the same system as countries such as Spain and Austria.

Opposition to an opt-out system is usually on ethical/moral grounds and/or because there is a lack of sufficient evidence that donation rates increase and more lives are saved with presumed consent.

Even if the evidence exists, should we as a society accept this proposed system if we have major ethical/moral concerns about it?

A recent systematic review considered the evidence and concluded that 'presumed consent is associated with increased organ donation rates' (Rithalia et al, 2009). However, it also found that other factors, such as 'potential donors, the underpinning infrastructure for transplantation, wealth and investment in health care, and underlying public attitudes', have an impact on donation rates.

The review suggests that further evidence is needed and that it would be wrong if society and the government believed we could achieve higher organ donation rates without, at the same time, doing other things. For example, we need to communicate why presumed consent is needed, how it would work and the safeguards for such a system. This information would help to encourage people not to opt out.

But should we not do more to increase organ donations in the present opt-in system? This seems to be ethically more acceptable in so far as it respects and maintains the individual's human right to autonomy and informed decision-making.

While the opt-out system will not be cheaper, the cynic in me wonders whether cost savings are one of the reasons it is being proposed. In fact, the review demonstrated that the health

service will have to spend more on changing and improving the infrastructure and increasing the resources available if the new system is to have the desired outcome.

Public attitudes to organ donation, which are influenced by ethical, moral and religious beliefs, will also make an important contribution to the success of any change.

Opting in gives us the autonomy to consent in the context of our own ethics, morals, values and any religious beliefs. An opting-out system imposes and implies that organ donation is the right thing to do and is expected as an altruistic act by all. There is coercion to comply and not stand out as lacking altruism because you have opted out. There are negative connotations for the individual who chooses to opt out.

Over a 10-year period, nearly 700 organs donated in the UK were given to foreign national private patients, according to *The Daily Telegraph*. Did you know this is possible? Well, it is. And that, perhaps, would cause some to see an opting-out system as an income-generating idea.

Finally, I wonder if presumed consent is the thin end of the wedge for many other things a government may want the public to do. This could be a sign of a government becoming more totalitarian.

### Reference

Rithalia, A. et al (2009) Impact of presumed consent on donation rates: a systematic review. *BMJ*; 338: a3162. [tinyurl.com/organstudy](http://tinyurl.com/organstudy)

● For details of an RCN survey on presumed consent, see *Letters* p36

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