

## Taskforce opposes 'presumed consent' for organ donors

- **Brown says he may still change the law**
  - **Inquiry unanimously against opt-out system**
    - Sarah Boseley, health editor
    - The Guardian, Tuesday November 18 2008

"Presumed consent" for organ donation would risk destroying the trust that patients and their families have in doctors, a government-appointed taskforce said yesterday, unanimously rejecting a proposal which has the support of the prime minister and chief medical officer.

Gordon Brown immediately made it clear that he still supported presumed consent, which would mean that every UK citizen would be assumed to be willing to donate their organs in the event of sudden death, unless they had specifically opted out by placing their name on a register. The prime minister said: "I am not ruling out a further change in the law. The proposal is that we double the number of volunteers to 50%. If we can't get there quickly we will return to the proposal."

However, the independent organ donation taskforce, which was asked to conduct a special inquiry into the possibility of introducing presumed consent here - following its report on a raft of measures to increase organ donation by other means which was published in January - yesterday said unequivocally it was a bad idea.

"We believe it undermines the concept of a donation being a gift," said Dr Paul Murphy, a critical care consultant at Leeds General Infirmary and a member of the taskforce. "It might erode public confidence. It might negatively impact on donor numbers."

Central to their inquiry was the assertion, made by the chief medical officer, Sir Liam Donaldson, among others, that Spain, which has the highest donor rate in the world, owes its success to its system of presumed consent. But the taskforce pointed out that Sweden, which also has presumed consent, had one of the lowest donation rates. The US and Ireland, which like the UK have opt-in systems, have similar donation rates to Belgium and France, where patients have to opt out.

"There is an association between countries with presumed consent and higher donation rates," said Murphy. "But we could not see that link was a causal one."

"We also heard that clinicians were anxious about the potential negative implications," he said. Doctors who worked in intensive care felt presumed consent could "threaten the trust that patients and patients' families have to have in them". In discussions with patients and families, they found some were worried that every last effort might not be made to save the patient's life if attention had already switched to the possibility that his organs might save others. The health secretary, Alan Johnson, said he accepted the conclusions of the review, but made it clear that the government would not have its hands tied.

The British Medical Association and the Royal College of Surgeons both expressed their disappointment with the taskforce's stance yesterday, as did the British Heart Foundation. But the British Liver Trust said the decision was right for patients.

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