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## Welsh Kidney Patients Association *Cymdeithas Cleifion Arennau Cymru*

President Professor John Salaman M.Chir., F.R.C.S.  
Vice President Dr. Andrew Williams M.D., F.R.C.P.  
Chairman Mr. John Reeve  
Vice Chair Mrs. Gloria Owens  
Secretary Mr. W. Morgan  
Treasurer Mrs. Christine Baker

website : [www.wkpa.org.uk](http://www.wkpa.org.uk)

Lakeside Offices  
University Hospital of Wales  
Heath Park  
Cardiff CF14 4XW  
Tel/Fax 02920 742735

John Reeve ( Chairman )  
21, Pantycelyn  
Belgrave Park, Gorseinon, Swansea.  
SA4 6BH. Tel:01792 891774  
e.mail:john@reeve2002a.freereserve.co.uk

To : Mrs. Val Lloyd,  
Chair,  
Petitions Committee,  
Welsh Assembly Government.

### **PETITION BY THE WELSH KIDNEY PATIENTS ASSOCIATION FOR A LAW ON PRESUMED ORGAN DONATION CONSENT.**

The BMA has long called for a concerted action to improve all aspects of transplantation and gave its support to the principle of Presumed Consent in its publication “ BMA Organ Donation in the 21<sup>st</sup> century-Time for a consolidated approach”(2000). In August 2007, the BMA announced “ The BMA supports a system of Presumed Consent for organ donation, with safeguards, for those over the age of 16, where relatives views are taken into account”

In his annual report, July 2007, Sir Liam Donaldson, Chief Medical Officer of Health for England, recommended a change in the law on organ donation in favour of Presumed Consent. The Health Secretary, Alan Johnson has now called for the current “opt-in” system of donation to be changed, as there is a severe shortage of donors in the UK, One person on average dies each day on the organ donor waiting list. On 20<sup>th</sup>, September 2007, Mr. Johnson announced that a taskforce has been set up to investigate a new system, which would assume each person is willing to donate organs upon death unless they have stated otherwise.

In August 2006 BMA Cymru/ Wales published a document “Saving Welsh Lives-The Case for Presumed Consent” In it, BMA Cymru/ Wales calls on the Welsh Assembly Government to take the initiative and use the new legislative powers devolved in the “Government of Wales Bill” to introduce a system of presumed organ consent, with safeguards, in Wales.

At its AGM on October 7<sup>th</sup>, 2006 members of the Welsh Kidney Patients Association voted to support the BMA Cymru/ Wales call for a change in the law on organ donation in Wales to one of Presumed Consent.

UK Transplant figures for 2005-2006 show that 31 patients in Wales died whilst on the transplant waiting list and that there were 311 patients in Wales awaiting an organ transplant. Studies have shown that over 70% of the people would donate their organs after death. Yet only 20% of the population have registered on the NHS Organ Donor Register. These facts show that the current system is failing to provide enough organs for transplantation.

**In countries where a system of presumed consent is law, there is a higher rate of donation. The following extract is taken from a briefing in August 2007 by the BMA entitled” Organ donation –presumed consent for organ donation “**

**“A detailed regression analysis (2006) comparing 22 countries over 10 years took account of determinants that might affect donation rates: gross domestic product per capita, health expenditure, religious beliefs, legislative system, and number of deaths from traffic crashes and cerebrovascular diseases. They concluded that "When other determinants of donation rates are accounted for, presumed consent countries have roughly 25-30% higher donation rates than informed consent countries." One explanation is that, even if the family has the final say, countries with presumed consent legislation have fewer refusals.”**  
**Reference Abadie A, Gay S. The impact of presumed consent legislation on cadaveric organ donation: a cross-country study. J Health Econ 2006; 25:599-620.**

**IN VIEW OF THE ABOVE THE PETITIONER (S) ASK THE WELSH ASSEMBLY GOVERNMENT TO SEEK LEGISLATIVE POWERS UNDER THE GOVERNMENT OF WALES ACT 2006 TO INTRODUCE LEGISLATION IN WALES TO CHANGE THE CURRENT OPT-IN SYSTEM ON ORGAN DONATION TO ONE OF PRESUMED ORGAN DONATION CONSENT**

**JOHN REEVER**

*John Reever*

**CHAIR**

**GLORIA OWENS**

*Gloria Owens*

**VICE CHAIR**

Committee Members

Jeff Baker, Ken Bisnath, Annette Burton, Janet Evans, Martin Evans, Caroline Jones, Helena Jones, Diane Masters, Dr. Richard Moore, John Owens, Mike Ruck.