

Organ donation

House of Commons, Westminster Hall Debate
Thursday 13th July

About the BMA

The British Medical Association (BMA) is an apolitical professional association and independent trade union, representing doctors and medical students from all branches of medicine across the UK and supporting them to deliver the highest standards of patient care.

Key point – the BMA is calling for:

- A ‘soft’ opt-out system for organ donation in England

We urge MPs to support a ‘soft’ opt-out system for organ donation in England, as has been implemented in Wales and is being introduced in Scotland.

A ‘soft’ opt-out system for organ donation

Under an opt-out system there is a presumption in favour of consent for organ donation, but those who do not want to donate their organs can register their objection during their lifetime. This model provides individuals with exactly the same choice as an opt-in system; it is the default position that changes which, we believe, over time promotes a more positive attitude towards donation within society.

Furthermore, under a ‘soft’ opt-out system, there is an additional safeguard that enables checks to be made with family members to confirm whether the individual had any unregistered objection to donating their organs, even if a formal objection had not been registered.

Existing UK legal framework

In December 2015, Wales became the first country in the UK to introduce a soft opt-out system for organ donation. The rest of the UK still has an opt-in system whereby a person has to register their consent if they wish to donate their organs in the event of their death. However, the Scottish Public Health Minister announced recently that legislation would be forthcoming to implement a soft opt-out model, similar to the Welsh model, in Scotland.

We welcomed this announcement from the Scottish government as the BMA has long advocated a soft opt-out system for organ donation. Although the numbers are small, the early evidence from Wales is encouraging. It suggests that more organs are available for donation, with an increase of approximately a third thanks to the new system, and we have not seen the type of public rejection of the system that some people feared.¹

It is difficult for doctors to see their patients dying and suffering when their lives could be saved or dramatically improved by a transplant. It is even more difficult in the knowledge that lives are

¹ Currently around 6% of the Welsh population has opted out of donation, which is the type of figure that would be expected given the results of surveys on wishes about donation.



being lost unnecessarily because of poor organisation, or because people who are willing to donate organs after their death simply never get around to making their views known. We believe that over time – as one part of a broader strategy to improve the infrastructure within which donation takes place – a shift to opt-out will help to increase donation rates and save more lives.

We continue to urge the UK government to follow Scotland's and Wales's example and bring forward legislation to implement an opt-out model in England. We have supported previous attempts to change the law in this regard, most recently the [Organ Donation \(Deemed Consent\) Bill](#).

Public opinion

A 2017 poll, commissioned by the BMA, found that two-thirds of the public support our call for an organ donation opt-out system to be extended to other parts of the UK.

This survey, which questioned 2,011 members of the public, also found that only a third (39%) of respondents are signed up to the organ donor register, despite two out of three people (66%) saying that they would want to donate some or all of their organs after death. An opt-out system makes it more likely that those people's wishes will be respected.

We welcome this Westminster Hall Debate as an opportunity for MPs to call on the government to save lives by implementing a soft opt-out system for organ donation in England.

You can read more about the BMA's proposed 'soft' opt-out system, as well as our public opinion poll, [here](#) on the BMA's website. You may also be interested to read the [BMA's report](#) on the subject, '*Building on Progress: Where next for organ donation policy in the UK?*'.

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