

Health and Social Care Committee  
Human Transplantation (Wales) Bill  
HT(Ind)91 – R. Winward

Hello,

I am writing because I am extremely concerned about your proposal to make organ donation automatic unless people opt out.

If you presume consent you are failing to ensure actual consent. Unless there is an extensive public information programme, which would need to capture *the entire adult population* including those on the margins of society, presumed consent in effect will be equivalent to no consent.

It is not clear how people will be able to 'opt out' and how this information will be readily available at time of death. Will people have to be tattooed with the information or have to carry special opt out identification cards at all times?

I also understand that there is no provision in the Bill itself for providing distressed relatives with a right to object to the removal of organs when no consent was given by the deceased. This goes completely against any idea of care for family and friends and the hope of a 'good' death.

This legislation will take Wales back into an uncivilised era where people are seen merely as body parts for recycling instead of unique human beings made in the image of God.

One of the very important rights we have as human beings is protection from torture and mistreatment. The Human Rights Act defines torture in the following terms; "Torture occurs when someone acting in an official capacity (for example a police officer or soldier) deliberately causes serious pain or suffering (physical or mental) to another person. This might be to punish someone, or to intimidate or obtain information from them." In my view extracting body parts from someone without the consent of those who love them, at a time of distress, could easily be construed as torture.

This is a very dangerous and unwelcome proposed change to the current legislation, which is unlikely to achieve the desired objective of more organs for transplantation, and it should be abandoned now.

Thank you for giving us this opportunity to respond. Please listen to those who object and not only to those in favour.

With best wishes

R Winward