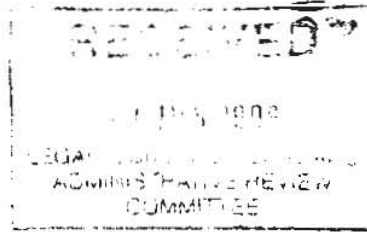


Submission No 19

Spec 201



Michelle Daly

2/6/99

Mr G Fenlon MLA  
Chair  
Legal, Constitutional and Administrative Review Committee  
Parliament House  
George Street  
Brisbane Qld 4000.

Dear Mr Fenlon

Thank you for your recent letter inviting comment on the Transplantation and Anatomy Act Amendment Bill 1998. These comments are made in my capacity as Senior Counsellor for the Qld Donor Family Support Program. I am a social worker who has extensive experience providing both individual counselling to donor families and as a facilitator for the support group for donor families. I am also involved in the training of hospital staff via the ADAPT program as the Clinical Consultant to the Qld Pilot Program.

I am strongly opposed to the proposed amendment, as it may remove the need to consult with bereaved families and rely solely on indications on drivers' licences as to whether organ/tissue donation can proceed.

- My experience has shown that presenting families with the option of considering organ donation, can be a positive thing for them in the midst of an otherwise tragic situation. Families who are faced with a sudden death are already confronted with a series of events over which they have no control, to increase their sense of lack of control by taking away consultation, could add to problems in their bereavement.
- Families rarely go against the wishes of the deceased where these are known. Families in which there has been prior discussion regarding the deceased's wishes feel satisfaction in ensuring these wishes are carried out.
- The licence is by no means a reliable indicator of peoples' views regarding donation. I have spoken with families who knew that the deceased was not opposed to organ/tissue donation but had not indicated a "YES" on their licence. This can be for a variety of reasons, often because of fears generated by inaccurate and sensational reports in the media. People may be concerned they will not receive adequate treatment in hospital, or that organs will be removed when they are "not really dead", so they put "NO" on their licence. Alternatively they may have changed their decision since their last licence renewal. Discussion with the family can clarify these issues.

- Accuracy of the information contained on the drivers licence database is of great concern. My own licence states the opposite of what I had clearly indicated on the renewal form.
- Family consultation is also important to obtain social/medical history of the deceased, which may preclude them from donating.
- Introducing a system which enforced what was recorded on a drivers licence, regardless of the wishes of the family, could result in a decline in organ/tissue donation rates, rather than an increase. Families who perceived they were poorly treated, or their wishes disregarded could become a very powerful lobby group who could generate enormous negative publicity which would harm the program.

Rather than the approach proposed in the Amendment Bill, the rate of organ/tissue donation could be better addressed via the following measures:

- Public awareness campaigns to dispel the myths associated with organ/tissue donation and to encourage people to discuss their wishes with their family.
- Resources and training to assist hospital staff to identify medical suitable donors and ensure that the opportunity to consider donation is offered to the family.
- Training for the staff involved in requesting organ/tissue donation to improve their understanding of bereavement reactions and the skills to make the approach in a sensitive way. Donor families consider this to be an important area of need.
- Support programs for families who have consented to donation are a way of recognising the unique gift they have given. Public acknowledgement via events like the "Annual Ecumenical Service of Thanksgiving" are also highly valued by donor families and increase the feeling of goodwill regarding organ/tissue donation program.

Any effort to increase the rate of organ/tissue donation must not lose sight of the reality that there are families, bereaved by sudden and tragic deaths, whose needs must be recognised and addressed.

Yours sincerely



Michelle Daly