



Minister for Transport
and Minister for Main Roads
Member for Cook

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Mr Gary Fenlon MLA
Chair
Legal, Constitutional and Administrative Review Committee
Legislative Assembly of Queensland
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Fenlon

Thank you for your letters of 5 May 1999 and 14 May 1999 about the inquiry into the Transplantation and Anatomy Amendment Bill 1998.

My department is currently in consultation with Queensland Health, examining a range of options to improve the rate of organ donation in Queensland with a view to submitting a proposal to Cabinet in the next few months. In this regard, it is timely that Queensland Transport is able to provide input to the deliberations of your committee.

The Bill as presented to the Parliament is not supported as there are a number of issues that require resolution. In order to give some context to these issues, an understanding of the present donor indicator system is required.

At present, people who apply for a driver's licence are able to indicate a preference of either "yes", "no" or "undecided" in regard to organ donation on the application form. No advice or written material is provided to applicants. On acceptance of the application for a driver's licence, the Queensland Transport licensing database and the licence product itself is updated noting the preference of the licence holder.

This procedure applies on each renewal of the driver's licence. Beyond this, Queensland Transport does not solicit nor correspond with clients or other agencies regarding organ donation.

In regard to the release of information from the driver's licence database, I wish to advise that section 14A of the *Traffic Act 1949* provides that the chief executive may release a person's driver's licence information to the person, with the person's written agreement-another person, or a person who issues driver's licences under a corresponding law to section 14 (ie another jurisdiction).

Given the above, Queensland Transport has issues with the Bill concerning potential donor information, donor consent, and access to records.

In regard to potential donor information, Queensland Transport at present is not positioned in terms of staff expertise, operational pressures and written information to advise potential organ donors. To resolve this issue, Queensland Health could provide written material for potential donors in licence renewal letters and at Queensland Transport Customer Service Centres, and additionally, provide a contact number for those who wish to discuss their choice.

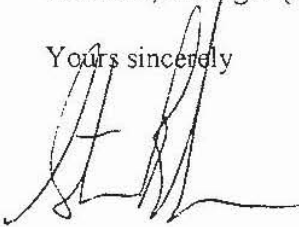
Currently, organ donors are recorded in Queensland Transport's licensing database (TRAILS). This system is not available after hours or on weekends which limits its functionality as an organ donor database. One solution would be for a linkage to be created between TRAILS and a Queensland Health developed database, with appropriate batch downloads of information. In addition, as discussed earlier, there are some legislative impediments to accessing driver records. This latter difficulty can be overcome by amending the current drivers' licence application form to reflect donor's consent to access their record.

Queensland Transport's role in this system would be to provide amended forms and provide database access to Queensland Health.

In summary, I fully support moves to increase organ donation in Queensland. However, not in the form envisaged by the current Bill before Parliament. My strong preference is to permit Queensland Health and Queensland Transport to jointly develop a proposal which adequately addresses the above issues. While Queensland Health has the lead agency role, Queensland Transport is committed to supporting a system that facilitates better health outcomes for Queensland.

If you have any further enquiries or need additional information, please contact Mr Roger Emerson, Manager (Policy & Research) Queensland Transport on telephone (07) 3253 4142.

Yours sincerely



STEVE BREDHAUER
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and Minister for Main Roads
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