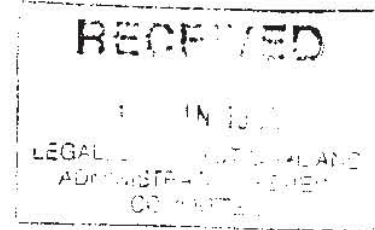


Submission No 39
Spec 20



File No:

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

Dear Mr Fenlon

I refer to your letter of 5 May 1999 to Mr Michael Moore MLA, Minister for Health and Community Care. I am replying on the Minister's behalf.

The ACT has comparatively uniform legislation on organ donation with the rest of Australia and is a participant in the initiatives currently being undertaken by the Australian Health Ministers to improve the rate of organ donation. The legislation, *Transplantation and Anatomy ACT 1978*, allows for the harvesting of organs without family's consent if the wishes of the deceased are known. However, the medical profession will always seek the consent of the family of the deceased and would be most unlikely to proceed with the harvesting of organs against a family's wishes.

The ACT does not have a system for the annotation of licences rather, in conjunction with the Australian Kidney Foundation, ACT licence holders may place a sticker on their licence and complete a donor card indicating their wish to donate specific or all useful organs. However, as noted above families will still be approached in these circumstance.

While the ACT has yet to consider the full implications of introducing a licence annotation scheme, I understand that Mr Bruce Lindsay, National Director, Australians Donate has prepared a paper on this matter that covers the process and benefits of a well planned system that avoids many of the pitfalls. I expect that Mr Lindsay will be putting his views to your committee.

Thank you for the opportunity to comment.

Yours sincerely

A handwritten signature in black ink, appearing to read "Shirley Bowen". The signature is fluid and cursive, with a large, stylized initial "S" and a long horizontal stroke extending to the right.

Dr Shirley Bowen
Executive Director
Population Health

6 June 1999