



Speech by

MIKE REYNOLDS

MEMBER FOR TOWNSVILLE

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TRANSPLANTATION AND ANATOMY AMENDMENT BILL

Mr REYNOLDS (Townsville—ALP) (10.24 p.m.): I support the move to refer the Bill to the Legal, Constitutional and Administrative Review Committee. A number of ramifications of the Bill, which was introduced by the member for Thuringowa, have been raised before us tonight. In common with the other speakers tonight, I would like to congratulate Ken Turner, the member for Thuringowa, for highlighting this very important community issue, irrespective of which community in Australia we represent or live in.

This is a matter that affects many, many families. It affects individuals. It is a very key component of concern in the electorate that I represent. I certainly know that in the Townsville/Thuringowa region, which the member for Thuringowa and I represent, we come across cases for which one can only feel very sincerely. I know that the key organisations are working in this area of organ transplant. The Australian Kidney Foundation is very active in the Townsville/Thuringowa area. Indeed, Jan Dunstan has to be congratulated on the work that she does in the area of kidney transplants, which she carries out right throughout north Queensland. I would like to share with the House a little later tonight some of the research that has been done through the Australian Kidney Foundation and the very important work in that regard.

I am heartened by the approach of members on both sides of the Chamber tonight. This is an important issue. It is one that does deserve support across the Chamber. I believe that the action being taken tonight, in recognising that the Bill highlights a very important health issue and that it needs to go to a committee for further research, recognises that there are a number of ramifications from an ethical perspective in the need not only to consider the transplant recipient but also to recognise the wishes of families and to look at the best way in which we can put mandated consent into practice to ensure that we have the most efficient, effective and compassionate way of dealing with this area of organ transplants. I am sure that tonight the initiator of this Bill would also be wanting to ensure that whichever legislation we bring into the House later this year is such that it will be the most efficient, compassionate and effective way in which we can bring about a greater number of organ transplants and that organ transplant recipients are able to live a much healthier and productive lifestyle.

It has been mentioned in the House tonight—and it is a stark statistic—that about 20% of Australians on the waiting list for organ transplants die each year, while more patients join the queue. That is a very poignant set of statistics.

In supporting the move to refer this Bill to the committee, I would now like to raise some matters that relate to mandated consent. In Australia individuals are free to declare before their death if they are willing to donate their organs, but there is no requirement to declare an intention either way. Under a system of mandated consent, all adults would be required to decide if they wished to be an organ donor, and their decision would be recorded on a computerised national register accessible by all medical treatment facilities.

For practicality, however, it would probably be necessary to link this information to another form of personally carried identification, for example a driver's licence, as has been suggested tonight, or a social security card, so that by typing in identifying particulars hospital staff could access a record of whether the person had consented to being a donor and, if so, which organs and/or tissue they had consented to donate. A variation of this system is used in the United States via an endorsement on drivers' licences which technically empowers the hospital to obtain organs against the wishes of relatives

if there is documentary evidence in the form of a signed organ donor card or driver's licence endorsement.

I think we need to look at both the positive and negative aspects of the system. The system I have referred to removes from people the pressure of having to make a decision regarding organ donation at a time of great personal trauma. There is also a belief amongst supporters of the scheme that by having donors make decisions without pressure during their own lives donation rates would reflect more closely what are known to be favourable public attitudes. I will go on to the indications of those favourable public attitudes in a moment.

There is, however, the converse risk that if organs were retrieved against the wishes of relatives the unfavourable publicity this would generate could have a long-term detrimental effect on donation rates as people became disillusioned with the organ donation system. That highlights for me that if we are to bring in a compassionate and effective system of organ transplant mandated consent we need to do it correctly. I am very pleased with the move that has been made tonight to refer this matter to an all-party committee of the Parliament. I know that that committee can research the issue and come up with the best type of legislation that can be moved through the Parliament.

I refer to the work being done in north Queensland by the Australian Kidney Foundation and in particular by the officer in charge of that, Jan Dunstan. I cite an Australian Kidney Foundation information sheet that refers to organ donation attitudes research conducted in March 1995 by Frank Small and Associates on a total sample of 1,213 individuals in the cities of Sydney, Brisbane, Melbourne, Adelaide and Perth.

The research indicated that, first of all, 90% of the Australian population support organ donation in principle. Half of the Australian population have discussed organ donation with their families. Thirty-five per cent have discussed it with friends. Thirty-three per cent of Australian drivers have consented to organ donation on their driver's licence. Twenty-six per cent of the population have also told others that they wish to become donors. Nine per cent have indicated to their families that they do not wish to become a donor. Twenty-three per cent of the population probably intend to become donors. Thirty-three per cent of the population are undecided about organ donation. Eighteen per cent either probably or definitely will not become organ donors.

Forty-seven per cent are aware that they may be asked about the organ donation of their next of kin. This is a 17% increase in awareness of this possibility. If it was known that the deceased wished to have their organs donated, 86% of the population would abide by these wishes. If the wishes were not known, only 27% would agree to organ donation.

The most common reasons for being undecided about organ donation are the fear that the process might upset the family, that a person might be too old for organ donation and that doctors may not try as hard to save a patient if they are known to be an organ donor. Religious concerns are not major factors in being undecided about organ donation. In 1994, 37% of all organ donations were volunteered or initiated by the family of the deceased. In 1993 that figure was 27%, while in 1989 only 9% were initiated.

I am speaking on this motion tonight because I know of people in my electorate and in the region that I represent who are clearly frustrated, who are clearly ill and who are waiting to receive an organ. I know that that frustration is shared by bodies such as the Australian Kidney Foundation. They want a system of mandated consent which will allow those ill people in my electorate and in other electorates to lead a productive and healthy life and lifestyle more successfully.

It really behoves this Parliament to make sure that we come up with a system which will be a leader in Australia. I know that the work put into this so far by the Health Department and Minister Wendy Edmond has been excellent. I hope that the work the Health Department has done can be put to the committee and that we can come up with a proper and efficient system for Queensland.

I again congratulate the member for Thuringowa on bringing this issue before the Parliament. It is a very important issue and one that certainly deserves the bipartisan support of this Parliament.
