

Church of England Mission and Public Affairs Division

Response to the House of Lords EU Social Policy and Consumer Affairs sub-committee call for evidence

Inquiry into the EU Commission's Communication on organ donation and transplantation: policy actions at EU level

Introduction

1. The terms of reference of the Church of England's Mission and Public Affairs Unit require it to assist in the Church in making a constructive and informed response to issues facing contemporary society. The Unit reports to the Archbishops' Council and, through it, to the General Synod, the Parliament of the Church of England.

2. The Mission and Public Affairs Division warmly welcomes the opportunity to respond to the House of Lord's Committee's call for evidence on organ donation and transplantation. In particular we would like our responses to be seen as addressing your request to consider questions that may arise from a Faith-based point of view, even though they also largely address the issues raised in the first part of your call for evidence. We would like to emphasise that Christian faith is a positive motivation for organ donation and a powerful incentive for many people to donate.

Consent to organ donation

3. For Christians, acts of mercy are a part of the self-sacrifice that God requires of us. Christ is the paradigm of self-giving. Giving oneself and one's possessions voluntarily for the well being of others and without compulsion is a Christian duty.

4. Christians have a mandate to heal, motivated by compassion, mercy, knowledge and ability.

5. The Christian tradition both affirms the God-given value of human bodily life, and the principle of putting the needs of others before one's own needs. Organ donation is a striking example of this.

6. Whether organ donation should be arranged through an 'opt-in' or an 'opt out' system is not a question on which Christians hold a single set of views. The opt-in system reflects our concern to celebrate and support gracious gifts, freely given. The opt-out approach stresses Christian concern for human solidarity and living sacrificially for others. We are also concerned to understand moral questions like this in their wider social and political context and, here, the undoubted need for more organs to be donated for the healing of others has to be weighed against the changed relationship between persons and the State which moving to an opt-out system might entail.

Commercial arrangements for organ transplant

7. Selling organs for commercial gain would never follow from a Christian ethic. It confuses the notion of an organ as gift and turns it into a commodity.

Living donors

8. However, altruistic organ donation from a living donor would flow from a Christian ethic, provided there was no coercion, no commercial gain, and above all no harm to the living donor. That the organ might go anonymously to a recipient, unknown and unrelated to the donor, only heightens the self-giving of the donor.

Public awareness

9. If the present opt-in system is to continue, it will need to be backed by a properly resourced programme of public awareness-building and education.

Respect for the dead

10. Our experience as pastors at the time of the Bristol and Alder Hey enquiries has shown us that the body is crucially important to bereaved parents and friends. There were numerous requests for burial services for body parts of children that had already been buried. The body is to be respected and the continuity between life and death in the form of what is done with the body matters. The body at its burial or cremation should ideally be recognizably the body of the person who has died.

11. However, though body parts must always be treated reverently, they should not be mistaken for the person him or herself. The reverence is perhaps expressed best in the use of body parts only and always for healing others. The harvesting of organs should not be such as to violate this continuity or to cause unnecessary distress to the mourners.

12. It is extremely important to be clear about the point of death, particularly when there is a pressure to maintain organs in a healthy state before harvesting them. This, again, is of vital importance to the bereaved.

European-wide organization of transplant services

13. We welcome the potential for Europe-wide organization of organ transplant services if a just system can be devised: member states will need to ensure that there is a balance between the organs they can provide and those their citizens need for transplant otherwise some nations will be jeopardized and worse off than hitherto. For example, all member states would need to adopt the same opt out or opt in approach to consent for organ donation.

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4th October, 2007