

HOW TO MAKE SURE YOUR ORGAN DONATION WISHES ARE RESPECTED

Background

- Since organ donation was first introduced in the 1950s, Judaism has approached the question of deceased organ donation on an individual case-by-case basis.
- The family of the deceased play a key role in the process.
- They often require support not only about understanding the medical issues but also about how organ donation can be done in a way that is consistent with their loved one's faith and cultural traditions.
- At a time of stress and grief, Rabbis and religious authorities can provide support and assistance.
- The Jewish principles of *pikuach nefesh* (saving lives) and *kavod hamet* (respecting the deceased) need to be respected.
- During and after the donation process Judaism incorporates another principle which must not be neglected – that of “*nichum aveilim*” – giving comfort to the bereaved.

The New Organ Donation Regulation in England

From the end of July 2020 there will be a new organ donation system operating in England. For the Jewish community in England some elements of the system have changed. It is relatively straightforward to ensure your wishes are respected – whether you want to be an organ and tissue donor, if so do you want to do so in line with religious considerations; or do not want to donate under any circumstances.

If you want to donate, there is a continued emphasis on eliminating any doubt of the potential organ donor's wishes before the procedure can go ahead. It is vital that we, and our loved ones, trust the system. If possible, confusion must be eliminated. If our loved ones are unclear as to what we wanted, this creates family distress.

The change in the system that has received most media attention is cultural. Politicians declare the new system is 'opt out' - to use legal language, based on 'deemed consent'. However, there are numerous safeguards to ensure that no one becomes an organ donor without their consent. Communication with the family under every circumstance is upheld

as 'essential' throughout.

Critically, if an individual has not actively expressed consent, the family or a nominated person can give information that would lead a reasonable person to conclude that (i) the person did not want to be a donor and so donation should not proceed; or (ii) that donation should proceed in line with faith considerations and religious belief and so donation should proceed only in the way stated.

If an individual has not actively expressed consent and family, close friend where appropriate or nominated person cannot be reached, then organ donation should not go ahead. These safeguards are underpinned by the relevant Human Tissue Code Of Practice for organ donation professionals which has been tabled in Parliament.

Recommended Next Steps

In preparation for the new system going live in late July 2020:

- Speak to your Rabbi or engage with your religious authority's information on organ donation generally, to help you come to a decision about organ donation.
- You should communicate clearly to your family what your decision is with regard to organ donation, ideally both in a conversation and in writing. The written statement does not require legal countersigning or lodging.
- Log your decision on to the Government's online Organ Donor Register (ODR) at www.organdonation.nhs.uk. The ODR is an important indicator to healthcare professionals about your decision. The ODR has the options to register either consent or non-consent.
- If you decide to consent to donation there is an option to indicate that your faith is important and must be taken into consideration as the process goes ahead.
- There is a faith declaration on the ODR, which states how organ donation professionals will communicate with your family, and how they will be allowed to discuss the decision with your religious authorities.
- The Board of Deputies is working with all the Jewish religious authorities to ensure that families of potential organ donors can be provided with a phone helpline from where they can seek rabbinic advice. Healthcare professionals should be able to provide this number to families and will also be able to consult it themselves.

Now is the time to ensure your personal wishes are known. We advise you speak to your Rabbi or religious authority, share your decision with your family, and make your decision clear on the Organ Donor Register at www.organdonation.nhs.uk