MOTION:

“FINANCIAL INCENTIVES PROVIDE THE BEST SOLUTION TO THE CRISIS OF ORGAN AND TISSUE DONATION”
In April 2010, the UK’s Nuffield Council on Bioethics launched a public consultation on Human bodies in medicine and research [Ref: Nuffield Council on Bioethics]. A key question addressed by the consultation is whether it is ethical to use financial incentives to increase donations of organs and tissue, which in most cases is currently illegal in the UK [Ref: Human Tissue Authority]. Other options explored in the consultation include priority for the donor if they require a transplant later in life, the payment of more generous expenses and the sending of certificates or ‘thank you’ letters to the donor or donor’s family [Ref: BBC News]. The Nuffield consultation takes place in the context of a worldwide discussion about the shortage of human tissues and organs, and the search for more effective ways of encouraging donation is taking place in countries across the globe, from the USA [Ref: Daily News], Canada [Ref: Global Edmonton] and New Zealand [Ref: stuff.co.nz] to Israel [Ref: BBC News], China [Ref: Xinhuanet] and Malaysia [Ref: BNET].
DEBATING MATTERS
THE ORGAN & TISSUE DEBATE IN CONTEXT

The problem of donor shortages
In the UK, an estimated 1,000 people die per year while waiting for transplants: around 8,000 people are currently waiting for an organ, but there were only 3,500 transplant operations last year [Ref: BBC News]. The increase in fertility treatment means that there is demand for approximately 1,200 more egg donors and 500 more sperm donors. In response to this situation, the UK’s Human Fertility and Embryology Authority (HFEA) has recently announced a public consultation on whether to relax the cap on payments to egg and sperm donors [Ref: Daily Telegraph]. Scientists also need people to donate human tissue for research. It is estimated that of the 660,000 people in the world who require any form of transplant, 10% receive one each year: and of these, 10% receive their transplant through commercial ‘transplant tourism’ [Ref: National Center for Biotechnology Information]. The use of organs and tissue in the UK is regulated by the Human Tissues Act 2004 [Ref: Human Tissue Authority].

There are different aspects to this debate, depending on which organs and tissues are being talked about. For organs such as hearts and livers, the debate is focused on encouraging people to donate at the time of their death. The questions about kidneys and bone marrow involve ‘living donors’, who will undergo risky and painful procedures to donate. To what extent should people be encouraged to put themselves through such procedures for somebody else’s benefit (or encouraged to do so)? Egg donation is more invasive than sperm donation, but in both cases the issue is complicated by other regulations, for example the removal of donor anonymity in the UK [Ref: The Times]. However, all of these discussions share a common theme: should individuals donate their organs and tissue for altruistic reasons, or should they receive financial rewards for doing so?

Donating for the common good?
The current situation in the UK is one where individuals ‘opt in’ to the organ donor register if they wish to donate their organs after death. Payment or incentives for living donations of organs and tissue is prohibited. This is based upon the ideal that people should donate their organs and tissues for altruistic reasons [Ref: Human Tissue Authority]: a situation that prevents people from being pressurised, through financial or legal means, and which represents a broader public-spiritedness that would be irreparably damaged by the introduction of incentives [Ref: Daily Telegraph]. One possible alternative that has been discussed in the UK is moving towards a system of ‘presumed consent’, where people are assumed to agree to consent to their organs being donated after death, unless they actively ‘opt out’ during their lifetime or their families are strongly opposed [Ref: The Times]. This system is used in Spain [Ref: BBC News], which is known for its high donation rate, and many other European countries [Ref: BBC News]. A system of presumed consent has been strongly supported by medical organisations including the British Medical Association [Ref: Medical News Today] and the Royal College of Physicians [Ref: Daily Mail], and former prime minister Gordon Brown.

A review of presumed consent by a government-appointed taskforce rejected such a system in 2008, on the grounds that it would ‘undermine the concept of a donation being a gift’ [Ref: Guardian]. It has been argued that forcing people to donate their
organs will be counter-productive and the goal would be better achieved through a dedicated campaign to persuade people of the morality of organ donation [Ref: spiked]. UK Transplant launched such a campaign in 2009 [Ref: UK Transplant]. However, presumed consent remains a popular idea in the UK and elsewhere, as a means to increasing donation rates without offering financial incentives [Ref: Daily News]. Another option is that introduced by Israel, where donor card carriers are given a legal right to priority treatment if they should require an organ transplant [Ref: BBC News].

**Rewarding people for their sacrifice?**

There are many forms of financial incentive up for discussion. One is a system similar to that used in Iran, where a compensated and regulated living-unrelated donor renal transplant program was adopted in 1988: eleven years later, Iran had eliminated its waiting lists for kidney transplants [Ref: Clinical Journal of the American Society of Nephrology]. Suggested alternatives to cash payments include incentives such as help with paying for funeral costs, a system of grants to reimburse living donors [Ref: Vancouver Sun], or tax credits [Ref: Science Daily]. Some have raised concerns that payment for organs and tissue will exploit the poor and vulnerable; however, some studies suggest that payments motivate people to donate kidneys across income groups [Ref: American Medical News], and that payments do not deter people from donating altruistically [Ref: Penn Medicine News]. It is argued that the ban on financial incentives in the developed world leads to ‘transplant tourism’, where individuals buy organs from desperate members of less wealthy societies: or even on the black market in countries like the USA [Ref: PR Newswire]. It is also argued that living donors face financial barriers to donating, and that incentives should be thought of as reimbursement [Ref: Canadian Medical Journal]. Some argue that offering financial incentives could encourage people to lie about their medical history, and put recipients at risk [Ref: Business Wire]; but others counter that these problems could be overcome with medical screening and regulation [Ref: FindLaw]. It is widely argued that altruism alone does not work, and nor is it straightforward, forcing the recipient of an organ to carry an emotional debt [Ref: American].
FOR
Altruism + incentive = more organ donations
Sally Satel The Times 11 June 2010
Suit Challenges Federal Ban on Compensation for Bone Marrow Donors
Sherry F. Colb FindLaw.com 9 November 2009
Putting organ traffickers out of business
Jeff Stier Guardian 24 July 2009
An ethical market in human organs
Charles A Erin and John Harris Journal of Medical Ethics 2003

AGAINST
Egg donation must remain voluntary
Max Pemberton Daily Telegraph 26 April 2010
Your finest legacy should be the gift of life for a stranger
Joan Smith Belfast Telegraph 23 April 2010
Legalizing the Organ Trade?
Peter Ritter Time 19 August 2008
Financial Incentives for Organ Donation
National Kidney Foundation 1 February 2003

IN DEPTH
A Life-Saving Approach to Transplantable Organs
Michael F. Cannon Cato@Liberty 23 June 2010
EU Directive on Organ Donation and Transplantation Briefing
EUBusiness 20 May 2010
Payments found to increase willingness to donate a kidney
Kevin B. O’Reilly American Medical News 22 March 2010
‘Dan Rather Reports’ Investigates Black Market Organ Trafficking
PRNewswire 12 January 2010
Pay donors to end IVF egg shortage, says fertility watchdog
Claire Ellicott and Fiona Macrae Daily Mail 28 July 2009
When Altruism Isn’t Moral
Sally Satel American 30 January 2009
Presumed consent ‘not ruled out’
BBC News 17 November 2008
ESSENTIAL READING CONTINUED...

How the Spanish donor system works
Branwen Jeffreys BBC News 13 January 2008

Live Kidney Organ Donation: Is It Time for a Different Approach?
Iranian Model
Ahad J. Ghods and Shekoufeh Savaj Clinical Journal of the American Society of Nephrology 2006

Living organ donors face financial barriers: A national reimbursement policy is needed
Scott Klarenbach, Amit X. Garg and Sorina Vlaicu Canadian Medical Association Journal 14 March 2006

Organ donations: The failure of altruism
Linda C. Fentiman Issues in Science and Technology 1994

Paying kidney donors: time to follow Iran?
Rupert WL Major McGill Journal of Medicine

Teaching Ethics in Organ Transplantation and Tissue Donation (pdf)
Universitätsverlag Göttingen
ORGAN & TISSUE DONATION:
“Financial incentives provide the best solution to the crisis of organ and tissue donation”
IN THE NEWS

Egg and sperm donors could get up to £800 in payments
Daily Telegraph 22 August 2010

Province offers grant for living organ donors
Edmonton Journal 7 July 2010

Ethicist Urges Tax Credits to Spur Organ Donation
ScienceDaily 3 June 2010

‘Human organs are not for sale’
New Straits Times 6 May 2010

NY lawmaker wants presumed organ donation consent
Daily News Los Angeles 27 April 2010

Cash for organs a bad idea
Sunday Sun 25 April 2010

$ China province pilots organ donation system
Xinhuanet 21 April 2010

Organ donation incentive plans labelled ‘crass’
Oxford Mail 20 April 2010

Organ donors could be rewarded under plans to boost registration
The Times 20 April 2010

Be an organ donor, get a free funeral! Incentive plan to ease the transplant shortage
Daily Mail 20 April 2010

British group asks how best to boost organ supply
Associated Press London 19 April 2010

Call to pay donors for their organs
Dominion Post 8 April 2010

Woman appeals for kidney donor: Incentives available to anyone willing
Sudbury Star April 2010

Leading Transplant and Transfusion Organizations Join Forces
Business Wire 22 March 2010

In Israel, a radical way to boost organ supply
MSNBC 14 March 2010

Donor shortage ‘driving women to risky online sperm banks’
Daily Telegraph 22 January 2010

Kidneys for Sale: Transplant Experts Say Uncommon in the US, but Difficult to Police
Nephrology Times Volume 2, Issue 12 December 2009

Change the law to force adults to decide on organ donation, say doctors
Daily Mail 2 November 2009

Taskforce opposes ‘presumed consent’ for organ donors
Guardian 18 November 2008
ABOUT
DEBATING MATTERS

Debating Matters because ideas matter. This is the premise of the Institute of Ideas & Pfizer Debating Matters Competition for sixth form students which emphasises substance, not just style, and the importance of taking ideas seriously. Debating Matters presents schools with an innovative and engaging approach to debating, where the real-world debates and a challenging format, including panel judges who engage with the students, appeal to students from a wide range of backgrounds, including schools with a long tradition of debating and those with none.

FIND OUT MORE

Debating Matters engages a wide range of individuals, from the students who take part in the debates, the diverse group of professionals who judge for us, the teachers who train and support their debaters, and the young people who go on to become Debating Matters Alumni after school and help us to continue to expand and develop the competition. If you enjoyed using this Topic Guide, and are interested in finding out more about Debating Matters and how you can be involved, please complete this form and return it to us at the address below.

Yes, I’d like to know more. Please send me further information about the Debating Matters Competition:

☐ I am a teacher and would like further details about events in my area and how to enter a team
☐ I am a sixth form student and would like further details about events in my area
☐ I am interested in becoming a Debating Matters judge
☐ I am interested in sponsoring/supporting Debating Matters
☐ Other (please specify)

First name
Surname
School/company/ organisation
Professional role (if applicable)
Address
Postcode
Email address
School/work phone
Mobile phone

Debating Matters Competition Academy of Ideas Ltd Signet House 49-51 Farringdon Road London EC1M 3JP
“TEENAGE CITIZENS THINKING DEEPLY ABOUT...SOCIAL ISSUES”
IAN GRANT, CEO, BRITANNICA