

ACT legislates for recognition of organ and tissue gift

Statement released by ACT MLA Tara Cheyne regarding the enactment of the Bill

This afternoon (21 May, 2020) the ACT legislated that the family of a loved one who donated organs and tissue will be able to have that act recognised on their loved one's death certificate. I believe we are the first Australian state or territory to do this.

The significance of the decision to donate organs and tissue, and the significance of these gifts themselves, cannot be overstated. They are gifts of life.

But some families in the ACT - and across the country - have told me that they feel the decision and the gift can be under-recognised.

The legislation will allow a next of kin to request in writing (and with verifying information) that the ACT Registrar-General include in the death register a statement that their loved one was a tissue donor (with "tissue" being the technical term for both organs and tissue). By doing so, the family can then apply for a death certificate that recognises their loved one as a tissue donor. A death certificate is, in some ways, the formal summation of someone's life. It contains the vital statistics about a person. It follows, then, that it should be able to accurately reflect their final, most generous act - if the family wishes.

Having the donation recognised on a loved one's death certificate will be optional, entirely up to the family, and not time limited - giving the family control and agency in deciding if, how and when they wish to have their loved one's donation recognised.

Families will be able to make the written request at any time, but it will be a matter for each family to decide for themselves, if it's something that works for them. This removes any urgency in needing to make a decision about it - and takes into account that what might be right for each family can change over time.

It also means that families whose deceased loved one was an organ or tissue donor before the legislation comes into effect will have this opportunity, too.

It is simply the right thing to do - the right thing to do by these families, and the right thing to do by these donors - to have an additional opportunity with which to formally acknowledge, reflect and emphasise the significance of these gifts.

This legislation is the result of months and months of discussions and consultations and I am grateful for so much help, direction and support. But my special thanks goes to so many donor families and advocates who have shared such personal stories with me and helped crystallise my thinking about why this is so important and necessary.

I am grateful that I received tripartisan support in the ACT Assembly on something so significant. But the greatest honour has been to give a voice to Australian donor families in the parliament.

Tara Cheyne MLA ACT