

It's time to change the default for organ donation – people should have to opt out

Continuing British Politics and Policy's theme of behavioural public policy, [Adam Oliver](#) finds that a simple change of the default position, to an 'opt out', rather than 'opt in' system, may lead to far more lives being saved.

The substantial effect that the default position can have on people's choices is a classic finding of behavioural economics, and this finding can be applied to help address the problem of the chronic lack of organ donors in the UK. Like Denmark, Germany and the Netherlands, the UK has an 'opt in' donor system – i.e. you have to register to be a donor – and, if we're lucky, 25% of the adult population do so (in some countries, the figure is far less than this). In other countries – Belgium, Austria and France, for instance – an 'opt out' system is in place. That is, you have to register not to be a donor, and in those countries, at least 90%, and in some cases approaching 100%, of the adult population are registered as donors. A very simple difference in the default position – i.e. opt in versus opt out – appears to cause a dramatic difference in registered donors.

Gordon Brown's Government did consider changing the default position on organ donation, but ultimately backed away from the idea. It is not entirely clear why, but it may at least in part have been because some felt that to have to opt in (or essentially 'do nothing') is the 'natural' default position, and that opting out makes things too difficult for those who do not wish to be donors. But why is opting in more natural? If we were to see a dog who has trapped his legs in an escalator, screaming in agony, would the natural position be to do nothing and walk on by (come to think of it, on the London underground I suspect that many might think so). Or would it be more natural, for most of us, to try to help the dog? If so, then perhaps the confusing reluctance to implement an opt out organ donation policy feeds into another topical stream of behavioural scholarship, currently being worked on by Paul Slovic, among others. Could it be that an identifiable (and not necessarily human) life, when in danger or suffering pain, provokes our sympathy and action more than countless more in similar peril that are unknown to us? Most of us do not know anyone who is currently in need of an organ transplant, even though there are thousands 'out there'. If we did, we might be much more willing to spend the five minutes or so it takes to register as a donor (the registration page, if you're interested, is: <https://www.organdonation.nhs.uk/ukt/RegistrationForm.do>).

David Cameron's Behavioural Insights Team has returned to this issue, and is proposing to trial a watered down version of opting out, called prompted choice. Informed by successful practices in several US states, prompted choice requires people, on applying for a driving licence (for example), to tick a box indicating whether they do or do not wish to be an organ donor in order for their application to be processed. This appears to be a sensible policy direction, but will no doubt meet with some resistance for the same reasons outlined above. The time is right to meet this (likely) resistance head on. Rather than allowing policy to be guided by the narrow position of a few vocal interest groups, we need to have a sensible public debate on whether to change the default position.

I suspect that, providing certain safeguards are met (e.g. that the medical profession are not observed to let some people die just to get hold of their organs – but, then, is this a problem in Belgium or France?), and providing that one can easily opt out if one wishes, then few will object to an opt out policy. If people do object, they could usefully be reminded that behind every 'statistical life' is a real person, that lives, and thinks, and loves, and suffers. If we keep this in mind, then maybe more of us would sign up to be a donor under the current system, and fewer would object to an opt out policy. Ultimately, changing the default on organ donation to opt out could even one day save your own life, or the life of someone you love.