

Organ Donation Statement

The Chief Rabbi together with the Dayanim of the London Beth Din have recently reviewed the Halachic issues relating to organ transplantation, and to related issues concerning organ donation after death and the halachic definition of the moment of death. (The relevance of such definition is simple. If a person is not dead, then an organ cannot be removed even to save someone else's life as one cannot save a life by the taking of another life). They have discussed the issues with leading Halachic authorities in Israel and the United States of America. They also have consulted with prominent medical professionals in the United Kingdom (UK) and Israel. Their conclusions were shared with the Rabbanim attending the Chief Rabbi's Pre-Yomim Noraim Conference.

The opinion of the Chief Rabbi and the London Beth Din is as follows:-

A living person may donate an organ to save someone else's life (e.g. donation of a kidney). This is not only permitted but actively encouraged, provided that in doing so the donor is not putting his own life at significant risk.

With regard to donation after death, in principle (notwithstanding the various Halachic rules concerning the sanctity of a dead body and the normal requirement that all parts of the body be buried) Halacha permits such donation provided that the organ is required for an immediate transplant. Of course, any organs that have been removed and eventually not used need to be treated with due respect and buried. However, live people (irrespective of how close to death) may not donate organs to save another person's life if in doing so it will hasten their own demise.

In our discussion with medical professionals involved in the field it has become clear that organs are taken from people after death in two different scenarios. Either they are taken after irreversible damage to the brain stem, or after failure of the circulatory system (in common parlance described as "when the heart beat has stopped"). Both of these scenarios lead to respiratory failure ("when breathing has stopped"), and respiratory failure is an important factor in the definition of death in Halacha. There is a view that brain stem death is an acceptable Halachic criterion in the determination of death. This is the view of some Poskim (Halachic

decisors) . However it is the considered opinion of the London Beth Din in line with most Poskim worldwide, that in Halacha cardiorespiratory death is definitive.

Hence, in view of this, and of the significant Halachic issues relating to the procedure of the donation process itself, we believe that it is imperative that a competent Halachic authority should be consulted by families who find themselves involved in such discussions.

We are already in consultation with the UK medical profession about the possibility of devising a method whereby the number of organs donated by Jews can be increased in accordance with Halacha. For this to happen we have asked the National Organ Donor Registry to explore how they can facilitate an option for Jews to indicate their willingness for donation of their organs to be considered by their families provided that such donation is carried out within Halachic parameters. Those wishing to avail themselves of such service would then be able to register directly with the National Registry with the clear provision that a Halachic authority is contacted if and when donation is anticipated. At this point, however, since the National Registry system is not set up to accommodate Halachic requirements, donor cards (even those purporting to be Halachic) are unacceptable.

We are mindful of the stresses bearing on the family of the person whose organs are being considered for transplantation, and who are responsible for the final decision. This decision comes at a sad and difficult time for them, and we will do our utmost to ensure that they receive all the Halachic support and guidance that they require.