

# Freedom to Donate Blood

Y Pwyllgor Deisebau | 29 Medi 2020  
Petitions Committee | 29 September 2020

**Reference:** RS20/13682-6

**Petition Number:** P-05-995

**Petition title:** Freedom to Donate Blood

**Text of petition:** In Wales gay and bisexual men are not allowed to give blood - unless they abstain from sex for three months. We would like to campaign for 'Blood Without Bias' giving people 'Freedom to Donate'. This petition asks the Welsh Government to scrap the three-month deferral period, and to introduce an individualised, risk-based approach to assess sexual behaviour, rather than a simplistic process where people are grouped together based on their sexual orientation and are banned from donating blood. This is the best way to ensure that those who want to donate, and can do so safely, are able to. It is a public health issue and one of inequality, that we do not have enough blood in our blood banks and yet we choose to discriminate against a whole group of people based on their sexual orientation. There is only one solution to a national shortage of blood; remove the deferral period and stop discriminating against gay and bisexual men.



# 1. Background

The Welsh Blood Service website advises that UK blood services are required to apply criteria for blood donation set by the Department of Health Advisory Committee on the Safety of Blood, Tissues and Organs (SaBTO) and the Joint Professional Advisory Committee on Donor Selection.

The Welsh Blood Service has to follow strict guidelines from SaBTO and is regularly inspected by independent regulators.

The criteria across all of the UK blood services for accepting blood donors on the basis of transfusion transmissible infection risk are regularly reviewed by SaBTO.

The Welsh Blood Service website states that all men must wait three months after having oral or anal sex with another man before donating. This rule applies to every man, regardless of their sexual orientation, whether they're in a stable relationship or whether they use protection such as condoms or pre-exposure prophylaxis (PrEP).

If an individual is taking pre-exposure prophylaxis (PrEP) or post-exposure prophylaxis (PEP), they will be unable to give blood. If they stop taking PrEP or PEP, they will need to wait three months before they can give blood.

The correspondence from the Minister for Health and Social Services to the Committee dated 3 August 2020 states that the broad basis for deferring men who have sex with men (MSM) who are sexually active from blood donation is based upon the fact that as a group they are known to have a higher risk of acquiring a blood borne infection such as HIV or Hepatitis B which then could be potentially transmitted through a blood transfusion.

This increased risk also applies to other groups of people including sex workers; people who have partners known to be infected with transfusion transmissible infections like HIV or hepatitis B; people who have partners from parts of the world with a very high incidence of HIV/AIDS; people who have ever injected themselves with non-prescribed drugs, and people who are currently taking PrEP or PEP. Each individual within these larger groups presents a different level of risk dependant on their

specific circumstances. Currently the Welsh Blood Service is unable to adapt these rules for individuals and must adhere to the overarching guidelines.

The Welsh Blood Service website also states that the three month wait is to reduce the risk of any very recently acquired infections not being detected on screening and further tests that the blood services perform on every donation.

Every blood donation is tested but the Welsh Blood Service notes that there is a very small possibility that a donor's very recently acquired infection might not get picked up by testing but may still be passed on through blood. This is because there is a period of time (called a window period) between getting an infection and it showing up reliably on tests. If someone gives blood during the window period, their blood could contain an infection that could be passed on to the patients who receive their blood. A SaBTO report is available on the medical and scientific reasoning behind the wait.

The Welsh Blood Service is currently part of the FAIR (For the Assessment of Individualised Risk) steering group alongside blood services across the UK to explore whether a more individualised donor selection policy could be used which would take a donor's personal circumstances into account in more detail. The Welsh Blood Service is working with a range of people and LGBT+ groups including:

- National AIDS Trust
- Stonewall
- Freedom to Donate
- Terence Higgins Trust
- Epidemiology and psychology experts

The group hopes to report the findings of its research towards the end of 2020.

There have been campaigns in relation to the three-month wait for the donation of blood, including the organisation Freedom to Donate and Blood Without Bias. The Freedom to Donate website states that it wants to go further than the deferral period being reduced from 12 months down to three. Freedom to Donate is

advocating for an individualised, risk-based policy to assess sexual behaviour, rather than sexuality.

## 2. Welsh Government action

The correspondence from the Minister for Health and Social Services to the Committee dated 3 August 2020 reiterates that the Welsh Blood Service is bound by strict rules with regard to blood donor and plasma eligibility. The rules are the same for all UK blood services and the Welsh Blood Service is unable to make independent rules that contradict national guidance as many of these rules are rooted in UK law within the Blood Safety and Quality Regulations 2005, as is the case with MSM eligibility criteria.

The rules have evolved over time following several guidance reviews undertaken by SaBTO and the most recent amendments are:

- Prior to 2011 there was a rule in place stating that a man who had sex with another man could never give blood;
- In 2011 this permanent deferral was changed to a 12 month deferral period, and
- In 2017 the deferral period was further reduced to 3 months.

The Minister highlights that the latest UK change in 2017 reducing the deferral to the 3 month period places the UK in a more advantageous position than some other services such as the Australian Red Cross who still apply a 12 month deferral period.

During the most recent SaBTO review undertaken in collaboration with patient group representatives and other interested parties such as the Terrence Higgins Trust, consideration was given to the MSM criteria.

Although the 2017 deferral reduction is welcomed, the Minister notes that it is recognised that further consideration to deferral is required and individual risks should be considered as opposed to group risk. The Minister refers to the FAIR steering group, whose aim is to explore if a more individualised risk assessment approach to blood donor selection policy is possible whilst ensuring the safe supply of blood to patients. It is hoped that the study will report its research findings to SaBTO towards the

end of 2020 and the Minister states that any changes to the MSM guidelines will be announced at that time.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.