

Melissa O'Sullivan submission of 20 November 2022

PE1911/GG: Review of Human Tissue (Scotland) Act 2006 as it relates to post-mortems

I am writing in support of petition 1911 Richards law.

One of the first changes that is needed is regarding post-mortems within Scotland, this must be changed. The law is simply archaic, showing no dignity or respect for the deceased person. Although I am aware unexpected deaths can be suspicious and in this case requires a post mortem without the consent of the next of kin, I believe this and every post mortem should be carried out non-invasively or at the very least-minimally invasive. Non-invasive uses CT scanning to diagnose cause of death which is currently being used in England and is more than 90% effective. Should nothing be found then I believe consent should be given from the next of kin for a minimal invasive post-mortem via keyhole surgery. I have learnt that the brain/ tongue and throat are removed as part of post mortems, without any consent. The deceased's body, although no longer living should be treated with the utmost respect and dignity and not just seen as a research project. Hopefully this law will change and this won't be an issue, however I believe for such an extensive post mortem consent should always be given from next of kin.

As a nurse who has experience in palliative care, it is a privilege to be able to care for peoples loved ones once they have passed away. It seems pathologists don't feel the same way, which is very saddening.

Tissue samples

Under the Human Tissue Act 2006, tissue samples can be used for research purposes without consent from next of kin. This is shocking. We have an opt out system for organ donation, yet we have no say what happens to our bodies once we have died.

Tissue samples following post-mortems should always be offered back to the next of kin. This must change, again archaic laws.

The RCOP stated that these tissue samples are “valuable material”. How very insensitive to families who are grieving. Yes, research is so important, but everyone should get a choice and pathologists should be open and honest with the public.

Death certificates

Please change the wording on death certificates to be more sensitive to grieving families. The word unascertained is a very harsh word. The word uncertain or inconclusive is better or going on clinical judgement, medical history, input from other medical professionals, a decision should be made by the pathologist on what they think may have happened. I understand this is not possible in many circumstances, but in Richard’s case there were several medical professionals saying it was a suspected seizure, however they would not listen!

I truly hope as a medical professional myself that these laws change in the future, for our future and for the future generations.