

Petitioner submission of 5 December 2022

Richard Stark's Law PE1911/HH: Review of Human Tissue (Scotland) Act 2006 as it relates to post-mortems

In the opinion of others, the removal of organs/brain/throat/tongue is like something from a third world country, this is someone's loved one. This present LAW is allowing these PMs, the Fiscal and Pathologists are covered to perform these barbaric acts on OUR loved ones. If you caused bodily harm, you would be jailed, because these people are dead, they are being treated in this horrific manner. How do those involved sleep at night with this on their conscience. Many years ago, there wasn't such a thing as PMs the deceased were laid to rest intact and at peace. This is all about research I am discovering more and more. I can understand in a murder case, it would be different, but again not to that extent. In a sudden death where there is nothing suspicious, and history no post-mortem should be performed. I have nightmares of what my son went through, a boy I had protected from broken bones/stitches and in the hands of others I got a shell back.

Richard had attended the QEH in Glasgow, after waking up in bed covered in cuts to one side of his face and with concussion. He was advised it may have been a seizure, three months later I found him dead in bed. I will never forgive those involved in all of this do they care not at all!

Technology has come a long way, turning lights on etc whilst not at home. Yet look at the old traditional/invasive PM's being performed on OUR loved ones horrific! I discovered Singapore/Australia (renowned for technology) are using scanners as are parts of the UK.

A programme "Cause of Death" a scanner found no cause of death, a full PM found no cause! Scanners are more than 99% accurate and produce a 3D disk.

Tissues Samples: I was advised by the Fiscal that the **samples belong to no particular person**, they are part of medical records, the dead **do**

not need records, meaning of the word record is a recording on paper it is not a physical item.

Advised where appropriate the health board will **CONSIDER!** returning tissue samples, they are taking **ownership** of them **without consent!** They belong to the next of kin. Richard was my child, I gave birth to him, he belonged to ME! What kind of country are we living in. **You don't own your own body or that of your loved ones**. If you die at home your fate is in their hands, even where there is history!

RCOP **It would be distressing to offer samples back especially were a child is involved.** Distressing not receiving samples back and then discovering parts of your loved one (no matter how small) are in wax in a drawer/jar/frozen or in another country. I was advised these samples are retained for a minimum of 30 years. I have read and heard horror stories regarding samples, as recent as last year.

Offering samples back would delay funeral: Funerals cannot take place until a death certificate is issued.

Offering samples back would risk losing valuable "MATERIAL"

There is no dignity or respect. Our loved ones are classed as "Material". I am not against research, but there has to be a **choice**. We are being given **no choice** with regards, to these barbaric PMs/Sample retention. If the family hasn't given consent this is stealing! The law seems to have rules for some and different rules for others. If you took something that didn't belong to you, you would be fined/jailed, yet look at what is going on around us. The parts of OUR loved ones belong to the N.O.K – this is shameful! It seems nothing has changed since the days of Burke/Hare. Tissue Act: Samples can be used for the purpose of Audits, Education and Research **without the authorisation of the nearest relative!**

The UK have been automatically offering samples back, and have done for years, they have a conscience. We in Scotland shouldn't have to fight to retrieve samples back, they are **OUR loved ones**. It shouldn't matter what the rest of the UK are doing, our loved ones should be given the respect and dignity they deserve.

We in Scotland should be ashamed, where is the dignity & respect for the deceased & compassion for the grieving family. I have heard of people afraid of dying at home now knowing horrific PM's will be performed and samples retained without consent. We need the security of **knowing this will not happen in this country.** How many sudden

deaths at home are murder cases or foul play – probably none or very few. **We should leave this world intact! Those wishing to leave organs to science still can. At present, there is no choice for others and this is YOUR DNA that is being stored without consent. There should be an opt out option in all PMs giving us the choice as there is with the organ donation.**

Our bodies and that of our loved ones belong to us, not others! All of the above has to stop!

Changes

1. Opt out of PMs which should including Fiscal where in a sudden death, there is nothing suspicious, and history.
2. PMs if the person hasn't opted out, family must give consent and it should be performed by scanner or better still **toxicology only!** Leaving the person whole!
3. There should be no removal of brain, throat or tongue this is **unacceptable** and takes a PM to another level – butchering! **Next of kin should give consent – it is immoral what is being performed on our loved ones.**
4. If tissue samples are needed for investigation, they should be taken by keyhole surgery, as they would in the living the dead shouldn't be treated differently – **Dignity & Respect**
5. Samples should be offered back to the next of kin, when the death certificate is issued giving them the **CHOICE** to accept or decline, if declining a consent form should be signed for the samples to be destroyed or retained for research – this is the **HONEST** thing to do.
6. “Unascertained” shouldn't be used on certificates – “Uncertain” is softer and less distressing for the families. Uncertain meaning unsure, if they haven't found a cause same meaning unsure then “Uncertain”

There seems to be no thought for the families in all of the above. They are left with the devastation caused by others.

The deceased are treated as nobodies/a reference number/piece of material, and who cares about the feelings of their family that are in shock and grieving.

We have the choice to VOTE/freedom of speech/where are our human rights?

You don't own your own body or your loved ones!

There should be an independent Audit performed in Scotland starting with Glasgow/Edinburgh.