

Gerard Stark submission of 17 February 2022

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

I wish to record my full support for this petition.

The term “Unascertained” is meaningless and provides no insight as to the circumstances of a person’s death. There is a feeling that “Unascertained” means “we looked but could not be bothered to investigate further – so this saves us a lot of bother”.

It would make more sense and give solace to those family members to ask for the deceased’s medical history and the circumstances in which the death occurred so that a more informed opinion could be given.

The term “Cause uncertain” at least shows that there was more than one possibility that was considered and “Cause uncertain” should be used on death certificates.

The new legislation of Organ donation where you can opt out should you wish to should apply to post-mortems too, giving people the choice of what they want.

The idea that Procurator fiscal can allow pathologists can create a supply-chain of tissue samples for others to study without reference to the deceased’s next of kin’s wishes is abhorrent. Furthermore, they make no effort to accurately record where those samples are sent or their exact whereabouts.

There is a culture of “it’s not our department – try someone else”. I am strongly of the opinion that the interpretation of the Organ donation legislation is being abused and gives Pathologists, carte blanche to do as they please without accountability to anyone. Whilst I support organ donation and the option to opt out, this should also apply to tissue samples and ought to be offered to next of kin before any decision is made as to how they are disposed of. Where a PF authorises Post-Mortems then they should only be carried out on the torso or be subject to a Scan such as they have in England.

Invasive operations to remove throats, brains, tongues and other organs where there is no obvious requirement should be stopped and legislated

against. The present system is without accountability and responsibility. It must be changed now. Where is the dignity for the deceased in this type of post-mortem, truly disgraceful, and soul destroying to the family.

The Scottish Public must be assured that these procedures are done in accordance with appropriate care and attention to the wishes of the next of kin.