

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

Petitioner written submission, 14 April 2025

Richard Stark's Law

Meeting with Procurator Fiscal (PF) and Lord Advocate (LA) we discovered it is NOT the PF that makes the decision whether a post-mortem (PM) is performed, it is pathologists. They are hardly going to advise not needed when they are being paid and gaining samples.

I asked the Procurator Fiscal (PF) why Arrhythmia was recorded on our Son's death certificate when results were "NOT SUPPORTED". PF advised they have no say on what is recorded! So, proves death certificates are worthless. We asked why one in ten deaths are pulled from the system for a post-mortem (PM) to be performed. Procurator Fiscal in Edinburgh was unaware of this and is looking into it. I was advised in 2015 that my Mum could be pulled. I know of several people who have been. Again, if the death is not murder/suspicious, let these people rest in peace.

There is not one part of this system fit for purpose. Long overdue changes are needed everywhere.

PF advised a grieving Mum that samples of HER child belong to NO PARTICULAR PERSON! Correspondence regarding samples would be filed and not answered! I was advised they don't deal with samples, they just sign them off! Sent on a wild goose chase for 11 months, the PF member at a meeting advised this should never have happened - too late it did and to others! Our wishes for a view and grant PM were ignored. I was advised paperwork is only kept for five years.

Non suspicious deaths are not criminal. This is another way of gaining samples.

In 2014, **150** murder/suspicious deaths and **1200** non-suspicious deaths all went through a PM! Seems guilty before innocent. Seems they have forgotten that post-mortems were brought in for families to know the cause of death, therefore it should be up to families if they wish one. There is a stigma to being involved with the PF. Richard would be horrified. Innocent families are being destroyed due to this system.

Pathologists are mutilating our loved ones, helping themselves to samples. One cell is DNA of a whole family, stored without consent for 30 years. The current law covers this. I wrote to pathologists asking if there were any samples of our son out with this country – I was referred to the Procurator Fiscal. What does that tell you? I have listened to others who now believe there is a black market for the samples of our loved ones. Someone is gaining from all of this. LA advised that we had all the samples of our son. I felt we didn't, so I went down a different route and two weeks later, a sample of our son was found frozen marked "future storage". Even the LA who upholds the law couldn't get the answers. Too many organisations answerable to no one. I have asked if samples are sent out with this country, given/sold to research companies, NO ANSWERS. There must be half a million samples a year.

Pathologists advise they know PMs are stressful for the next of kin (NOK), yet the butchering and stealing has gone on for years! I advised the LA it means nothing to her what someone dies of it only concerns that family, so it should be their CHOICE regarding any PM. Unless murder/suspicious.

There should be NO PMs unless murder/suspicious. The police are not stupid, they know within minutes. PF have advised the lack of resources and funds. The NHS is on its knees, NOKs are on medication and counselling – there's a cost!

PF is managing PMs in Aberdeen and spent more than £100,000 on locums last year. Look at the waste of money on PMs. There were probably 100 murder/suspicious deaths.

There are MSPs shocked at what we have discovered. If anyone wishes to leave their body/organs to science, that is their CHOICE – they are given their human rights and choice, we should all have it. Many MSPs have advised there should be an opt-out of PMs. I was advised by a pathologist if we didn't want a PM to have it recorded on our medical records.

If only performing PMs by scanners in murder/suspicious deaths this would save on resources/save a fortune, leaving the PF to deal with CRIME, speeding up funerals.

What others think:

It is a symptom of a health system that has been largely unaccountable and unchallenged. In such a system, humanity and individual rights are discarded.

Our loved ones do not belong to them, they seem to have forgotten post-mortems were for the families to have a cause, so it should be their choice if they wish a post-mortem, unless it is murder/suspicious.

Would they have this performed on their own loved ones and have pieces of them stolen? Anyone causing bodily harm or stealing is jailed, and here we have a law that has rules for some and different rules for others.

An absolute disgrace, violating the bodies of our loved ones, and for what? A worthless piece of paper.

I hope that all performing this and those who are ignoring this, have the answers to their part in it all, when they meet their maker as there will be no excuses for this, and there will be an army of NOKs waiting.

Religious or not – no God would permit all of this.

Taking DNA and samples is a breach of privacy legislation.

Those supporting this cruel law are no better than those who have taken a life, as thousands of NOK's lives have been destroyed and they will never recover.

This is mental cruelty! The Government are losing the trust of the public.

Public money could be spent on better things such as the NHS and the state pension which are poor.

The suggested changes below would save money:

1. No PMs – record a likely cause, or uncertain or NOK request a PM by scanner.
2. Murder/suspicious deaths - PM by scanner and toxicology, if samples are needed for investigation, use keyhole surgery as it would be in the living.
3. No removal of brain, throat or tongue – BARBARIC!
4. Tissue Act changed - like the rest of UK
5. Samples taken in murder/suspicious cases. NOK should be offered these samples: accept or sign a consent form for respectful disposal or retention – their CHOICE. They should collect them in person and be given a list of what was taken, and receiving ALL back.

Human rights and choice – your body belongs to YOU as do YOUR loved ones. Your body, your CHOICE unless murder/suspicious.

I will be writing a book on this ordeal. How on earth do you get over this?