

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE2084](#): Allow alkaline hydrolysis, lodged by Randall Graeme Kilgour Foggie

An overview of issues raised by the petition

Alkaline hydrolysis

Alkaline hydrolysis (also known as ‘water cremation’) is a method of disposal of human remains using hot water with the addition of potassium hydroxide, or sodium hydroxide, or a mix of both. The body is wrapped in a silk or woollen shroud, or other biodegradable material, before being placed into a pressurised chamber and heated to up to 150 °C.

Burial and Cremation (Scotland) Act 2016

The [Burial and Cremation \(Scotland\) Act 2016](#) (‘the 2016 Act’) provides the current legislative framework for burial and cremation in Scotland.

[When the Scottish Government were consulting on what became the 2016 Act](#), it was aware that new methods of the disposal of human remains (including alkaline hydrolysis) were at varying stages of development around the world. Consequently, it asked in that consultation whether respondents agreed the 2016 Act should include a provision for Scottish Ministers to regulate new techniques in the same way as burial and cremation when they became viable. [This proposal attracted strong majority support](#).

The Scottish Government ultimately included a provision in what became the 2016 Act to allow for regulation of any new methods of body disposal in the same way that burial and cremation is currently regulated. Specifically, section 99 of the 2016 Act says that Scottish Ministers may, by regulations, provide that specified provisions of the 2016 Act may apply, subject to any specified modifications, to ways of disposing of human remains specified in those regulations.

The Scottish Government’s 2023 consultation on alkaline hydrolysis

Between **25 August** and **17 November 2023**, [the Scottish Government consulted on the regulation of alkaline hydrolysis as a method of body disposal in Scotland](#). The consultation was part of [a wider suite of four consultations](#) on parts of the 2016 Act which have not yet been implemented.

Individual responses to the consultation relevant to this petition, and an analysis of those responses, do not yet appear to be published online. The Committee could seek an update from the Scottish Government as to the progress of this consultation.

Draft Funeral Expense Assistance (Scotland) Amendment Regulations 2024

On 19 March 2024, [a draft of the Funeral Expense Assistance \(Scotland\) Amendment Regulations 2024 was published](#).

The draft regulations have been referred by the Cabinet Secretary for Social Justice to [the Social Commission on Social Security](#) ('the Commission') for the Commission to prepare and submit a report on, in accordance with their function under the [Social Security \(Scotland\) Act 2018](#).

These draft regulations would make several changes to introduce improvements to the [Funeral Support Payment](#). This is a devolved social security benefit which enables people on low incomes to get help with funeral costs. The accompanying letter from the Cabinet Secretary on the draft regulations notes they contain, "an element of future proofing." To this end, they propose extending the definition of 'funeral' to include alkaline hydrolysis.

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22/03/24

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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