We wouldn't want any other family to experience what we have had to endure and are still enduring; our grief was compounded by incompetence and a lack of support, professionalism and - quite frankly - compassion which left us feeling even more wounded, stressed, angry and futile. Hence this serious petition requesting human rights on a par with England and other civilized countries.

The Lord Advocate's response to the committee refers to previous communication already submitted to the committee and whilst I welcome the changes to the legislation and in particular the charter for bereaved families, in my circumstances I felt isolated and frustrated beyond belief on top of our overwhelming heartbreak and loss of David. I am still isolated.

As only a mother will ever know the pain endured bringing their child into this world, only another mother who has lost their child will know the insurmountable heartbreak faced in such tragedies and even then each loss is different. In some cases parents have warning and time to deal with the death of their child, not that I can imagine it makes death any easier to face and survive. Others it comes as a shock but is caused by natural circumstances. The unnatural deaths are a different circumstance yet again and any and all unexpected or unnatural deaths should be competently investigated with compulsory Inquiries. In my own circumstances I have had to fight tooth and nail to push investigation into David's death as there is every possibility that my son was spiked on that fateful night, indicated strongly by his actions before and upon leaving the taxi that night, before any chance of exposure or hypothermia could have occurred. David's death remains unascertained as experts could not determine what killed him.

I was refused my request to bring along a Councillor of my choosing to a meeting with experts as non family members would not be allowed and I was told a member from Victim Support would be there for us; we arrived in Edinburgh only to be told "sorry, we couldn't get a member from Victim Support, would we still go ahead with the meeting?" We chose to continue as we had travelled all the way there. How overpowered and vulnerable we felt.

As the meeting was conducted, even though I highlighted several relevant issues :- The pathologist had no knowledge of where David had become lost i.e in familiar territory right at his university.

The pathologist was surprised to learn David had been jogging; she stated at the time that "this would raise his core temperature" (hypothermia needs a drop in core temperature). The pathological had not seen David's clothing so had no idea of its quality or thickness. The Toxicologist was unaware of the quantities of GHB that can be found in Budweiser, red wine or red meat.

The report sent to us used an example in which David's levels of GHB were three times higher than the level used to indicate GHB use in cause of death. We were told there's new information but it's not available to the public....

I left this meeting feeling devastated as if no one was even willing to listen or even think about David's case. I received some Minutes over two months later that left me feeling like a neurotic idiot as most, if not all, the points I had highlighted were nowhere to be seen. I tried to complain but I would only be allowed to complain about the handling of the complaint; there was no other course other than Court and Lord Advocate which, after the death of David and the 3 month search for him, we could not afford and I had no heart, mind or energy for it; I am struggling to do this and sit here in tears as I try.

If criminals can be accorded the right to an Inquiry why can't the same be provided for law abiding citizens especially when they are requesting it? It is said Inquiries should be held if lessons in work practices can be learned. Since David's "unascertained" tragic death, I have been proactive in pursuing similar cases throughout the UK and am astonished that in such a short period there have been over 20 similar deaths, I feel that lessons need to be learned and processes changed. In David's particular case, the taxi company, nightclub staff and the Dairy in
Stirling were all in a position to help prevent David's death by both their actions and inactions. Yes I know David was responsible for his own actions in the amount he drank before going out, "about half a bottle of vodka" in "about 2 hours" but the young are still learning at the tender age of 18 and are vulnerable especially when intoxicated yet David was allowed into not one but two clubs so obviously he could not have been that intoxicated at that stage.

Yet the others are also responsible for their own actions or lack of. David was asked to leave, being deemed too drunk; he wasn't falling about, he wasn't causing trouble, he was intercepted leaving the toilets and was being escorted out on his own until a friend happened to see him and went with him to the taxi rank. So if his friend hadn't seen him he would effectively have been turfed out on his own.

This poses the most important question, if someone is deemed too drunk to be allowed to remain on the premises, would they not be deemed unfit to look after themselves as the amount of deaths in the young seem to indicate?

Measures should be introduced to protect the young - for example, cool off zones, free water, anti spiking mats and or straws and staff undercover, on guard for incidents of spiking; anti-spiking signs to be prominently displayed, demonstrating the penalty for this crime.

It is not a belief of any of David's family that it was "just drink" or "just drink and the cold" that caused his death that night. If nightclubs can't stop serving people before they become so intoxicated why can't they at least be allowed to give the person time to sober up before ejecting them by themselves, why can't announcements calling for their friends be made over the speakers, why can't a family member or friend be called to collect them safely? Care is needed in this country, caring for those in vulnerable conditions, contributed to by special sale prices for doubles and potentially lethal cocktails.

Care is needed in the taxi service; a duty of care for the passenger should be the number one rule, should it not? I am told private taxis have no duty of care.

David's death was contributed to by the lack of about £1.20 and compassion or care. Universities throughout the country are taking steps for students to be provided with the safety net of their taxi fares being paid in emergencies which they pay back at a later date. Yet what of those young and old, indeed any age, who are not University students?

The Dairy workers were in the position to help when they came across David on their property; he was cold, wet and bleeding by this stage, did they phone an ambulance or call the University security? No, they simply walked him off the property, having to point him in the direction of the University. So many people in David's case who must be extremely grateful we do not have the good samaritan law as France brought in.

There are so many lessons that could be learned from not only David's death but the many deaths in similar circumstances before and after, none of which to my knowledge has been even looked at due to lack of FAIs in this grey area. People related to the victims are not allowed any access to witness statements and can only go on the hearsay of the officers they speak to. If it is just drink that is mainly responsible for all these deaths then really why isn't there even more and then again why is nothing still being done?

Why is nothing being done about such a high death rate; no industry would be tolerated having such a high death rate.

This petition needs to succeed to protect people; the gap in this safety net is far too wide, too many young are dying on simple nights out.

It is not enough to say that cases can be divided into the categories (a) - (e). If the Lord Advocate feels that this is appropriate then perhaps there should be further categories ordered.
The COPFS is once again reporting a downturn in the number of crimes that are being prosecuted. Surely that means that they have more resources and manpower to investigate unexplained deaths?

The death of David O'Halloran remains unexplained. The fact that the police failed to find his body for such a long period of time and have now repeatedly flipped flopped about what the cause of death might have been shows that any death of a young person deserves to be investigated. We would expect the Coroner in England and Wales to have more hearings given the size of the population. The U.K. Supreme Court constantly calls for Scotland to be more like the English system in terms of the way we make, govern and practise our laws so why should the investigation of unexplained deaths be any different?

If the Lord Advocate can't change this system then why not? He is the Government's top law officer. Why can't he introduce these changes to Holyrood? At the very least he should be able to recommend them to the First Minister. We only need 2000 Inquests to bring the safety and protection of the People of Scotland into line with England and Europe; is this really too much to ask for?

Also I would like to point out how these processes never take into account the time of year for devastated families, more care and compassion is needed here also, facing Christmas is a trial in itself without having to face thoughts you otherwise try to suppress, in my case, it's the thought of my poor son wandering around not knowing where he is or even who he is, lost lonely and being turned away without help, cold, wet and bleeding from various cuts, is he suffering, is he crying, begging for help? I will never know all I know with certainty is that he is dead after going on a simple night out and I am left to face all this in the run up to one of the hardest times of year for me.

With all due respect

Miss Donna O'Halloran