

Citizen Participation and Public Petitions Committee  
Wednesday 23 April 2025  
7th Meeting, 2025 (Session 6)

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

### Introduction

**Petitioner** Ann Stark

**Petition summary** Calling on the Scottish Parliament to urge the Scottish Government to review the Human Tissue (Scotland) Act 2006 and relevant guidance to ensure that all post-mortems—

- can only be carried out with permission of the next of kin;
- do not routinely remove brains; and
- offer tissues and samples to next of kin as a matter of course.

**Webpage** <https://petitions.parliament.scot/petitions/PE1911>

1. [The Committee last considered this petition at its meeting on 29 May 2024](#). At that meeting, the Committee agreed to write to the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Minister for Public Health and Women's Health, and the Petitioner, which are set out in **Annexe C**.
4. The Committee Convener raised this petition with the First Minister at the Conveners Group meeting on 26 March 2025. The Convener noted the absence of Ministerial leadership and asked whether the First Minister would allocate ministerial responsibility for death and bereavement, including pathology services. [The Conveners Group discussion is available on Scottish Parliament TV](#).
5. The First Minister followed up in writing to the Conveners Group on a number of points raised during the Conveners Group meeting. An extract from the First Minister's letter is set out at **Annexe D**.
6. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
7. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.

8. [The Scottish Government gave its initial response to the petition on 15 November 2021.](#)
9. Every petition collects signatures while it remains under consideration. At the time of writing, 3,416 signatures have been received on this petition.

## **Action**

10. The Committee is invited to consider what action it wishes to take.

**Clerks to the Committee**  
**April 2025**

## **Annexe A: Summary of petition**

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

#### **Petitioner**

Ann Stark

#### **Date Lodged**

11 October 2021

#### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to review the Human Tissue (Scotland) Act 2006 and relevant guidance to ensure that all post-mortems—

- can only be carried out with permission of the next of kin;
- do not routinely remove brains; and
- offer tissues and samples to next of kin as a matter of course.

#### **Previous action**

I contacted my local MSP who is taking up my individual case but is also supporting my petition to achieve wider change.

#### **Background information**

My child died suddenly at home. As a result, there was a post-mortem. I thought it was a Grant & View but discovered not only was it a post-mortem but that, the brain, throat and tongue had been removed. I was horrified.

In the event of a sudden or unexplained death the Procurator Fiscal provides authorisation for a post-mortem, not the next of kin. I believe that this must change. I also believe that brains should not be routinely removed.

I was advised that the tissue samples taken belonged to no particular person and would be held as part of Medical Records. When I tried to retrieve them, I was sent on a wild goose chase for ten months, all whilst grieving.

This is different from England/Ireland & Wales, where loved ones are automatically offered the samples back (perhaps to add to caskets). People can decline the samples, but at least they are given a choice.

## **Annexe B: Extract from Official Report of last consideration of PE1911 on 29 May 2024**

**The Convener:** Our next continued petition, PE1911, was lodged by Ann Stark, who I think I can see with us in the gallery again. I say, “I think,” because I have a big spotlight shining in my face and it is difficult to see anybody down at that end of the room from here. The petition calls on the Scottish Parliament to urge the Scottish Government to review the Human Tissue (Scotland) Act 2006 and the relevant guidance to ensure that all post mortems can be carried out only with the permission of the next of kin; that brains are not routinely removed; and that tissues and samples are offered to the next of kin as a matter of course.

We are again joined by our colleague Monica Lennon, who has been with us before when we have considered the petition. Good morning and welcome, Monica.

We last considered the petition on 6 September 2023. At that time, we agreed to write to the Crown Office and Procurator Fiscal Service, the Royal College of Pathologists and other relevant organisations. The response from COPFS to the committee confirms that recent discussions with pathology providers have included the benefits of and possible difficulties with the suggestion to use CT scanners as an alternative to invasive post-mortem examinations. The response also highlights the HM Inspectorate of Prosecution in Scotland’s annual report for 2022-23. The inspector’s view is that consideration of the delivery model for forensic pathology is required. The report notes the cross-sector nature of work in the area and therefore suggests that the Scottish Government should lead on it.

Both the Royal College of Radiologists and the Royal College of Pathologists have highlighted the existing clinical guidelines relating to the use of CT scans in post-mortem examinations. The Royal College of Radiologists states that there should in principle be no reason why CT scans could not be used during post-mortem examinations in Scotland, and that the guidance notes that, at the time of writing, the availability of expertise in imaging interpretation was limited to a small number of centres in the UK.

The Royal College of Pathologists notes that many types of deaths that can be diagnosed by post-mortem imaging in England would not require an autopsy in Scotland. The submission suggests that the impact of scanning on the overall autopsy rate in Scotland is likely to be much less than in England.

The petitioner has provided two written submissions, which reiterate the key ask of her petition. She also notes that a meeting recently took place between her and the Lord Advocate—I think that Monica Lennon may have been at that meeting, too—in which they discussed her individual case and the changes that she wishes to see.

The committee has uncovered a number of issues throughout its consideration of the petition. We have gathered a lot of written evidence from a number of key organisations and have taken oral evidence to inform our thinking of the issues, all of which have had us as passengers in support of the aims of the petition as it

progresses the issue. Before I invite committee members to suggest where we might go next, I invite Monica Lennon to give a brief statement.

**Monica Lennon (Central Scotland) (Lab):** Good morning, convener, and thank you for your opening remarks. Having listened to your recap, I note that we have been on quite a journey. I pay tribute to Ann Stark and her husband, Gerry, as well as the committee. At the start of the process, we knew very little about the Parliament's understanding of what was going on. The Government was not taking an active interest and, it is fair to say, the Crown Office and Procurator Fiscal Service thought that there was nothing to see.

The convener mentioned the meeting on 17 April with the Lord Advocate and Andy Shanks, who is the head of the Scottish fatalities investigation unit. I was present along with Ann Stark and Gerry Stark. The meeting lasted for almost two and a half hours. The Lord Advocate was very much in listening mode, but she had lots of questions, which speaks to the fact that, since Richard Stark's death in 2019, the family have been trying to get answers. That shows how difficult it can be for grieving families to deal with the system. The petition has always been about improving the system, not just for the Stark family but for all families in Scotland.

I extend my thanks to the committee, because a lot of evidence and information is now available to us. We know that we need to learn lessons, but we also need to learn from other jurisdictions where families have been listened to and where the process of modernisation has been started, if not rolled out. Lessons have been learned in relation to the process, including about making efficiencies and savings at a time when public finance is under pressure, but the changes have also led to a more compassionate experience for families. On behalf of Ann Stark and Gerry Stark, I emphasise that the petition is about trying to minimise distress for grieving families at the worst time in their lives. As Ann has said in her written submissions, Richard's death was not suspicious, but the family feel that they were treated in exactly the same way as they would have been were it a murder case or a highly suspicious death. That made their ordeal all the harder to bear.

I will touch on the discussions that we had with the Lord Advocate. I characterised her evidence session with the committee as tense, because it was quite difficult to try to tease out who was going to take responsibility for making change happen. The Lord Advocate has written to us since that meeting, making it clear that she shares the family's desire for COPFS to make whatever improvements it possibly can. She reiterated her apology for the poor communication on behalf of the service and recognised that that caused unnecessary distress. There was some discussion about the family liaison charter, which should include looking at the medical history of the deceased and would inform whether a full invasive post mortem is required. We recognise, not just for the Stark family but for many families, that there is a communication issue, which is something that COPFS is looking at.

We know that COPFS is committed to the continuous improvement of its death investigation work. It is fair to say that it is as a result of the petition and the committee's work that an improvement programme in the system for the investigation of deaths has been established. The purpose is to oversee a

programme of work that is designed to achieve greater public confidence—which is really important—improve the service, deliver to bereaved relatives and deliver increased efficiencies in the investigation of deaths.

On the issue of samples, which I know is covered in the committee's briefing papers, I want to reiterate that Richard Stark died in 2019. As we sit here today, on 28 May 2024, his parents and wider family still await confirmation that all of Richard's body samples are accounted for. The Lord Advocate has confirmed in her letter to me that she is making further inquiries with pathology providers that are contracted to do that work. Again, that shows how difficult this can be.

As you have been told, COPFS regularly meets the current pathology providers, and the potential future use of CT scanners has, from time to time, formed part of their discussions. It is our view—it is my view from speaking to the family—that the conversations have not led to anything up until now and that that has been mentioned almost in an ad hoc way.

However, more positively, since the Lord Advocate last appeared at the committee, members of COPFS's pathology, toxicology and mortuary programme board visited Northern Ireland. They received a presentation, which we are told was informative, from the state pathologist on the experience in Northern Ireland of utilising CT scanning. We welcome that.

Mrs Stark and the family suggested to the Lord Advocate that COPFS staff or members of its pathology, toxicology and mortuary programme board should perhaps visit Lancashire, where we believe that Dr James Adeley would be happy to facilitate a fact-finding trip. I know that, from time to time, the committee gets out of Parliament, and my suggestion to the committee is that it might wish to consider the opportunity for such a site visit. If the Lord Advocate and her colleagues are considering that, it would be worth checking where they have got to.

I will not repeat points that have been made about the resourcing issues and the workforce pressures that are facing COPFS and, more generally, pathology and other health services that are involved. It is very much a case of our needing to have the right people doing the right jobs. We have identified that there are shortcomings in the skill set in COPFS. That is why, in a paper that he submitted to the UK Justice Committee back in September 2020, Dr Adeley talked a lot about the importance of communication and the relationship with families. I have that submission in front of me. We want to minimise stress, deal with workforce pressures and use public resources better. We have heard about potential savings and at least achieving cost neutrality through the work in Lancashire.

I want to thank the committee, because we can see that your work is making a difference. We still have quite a distance to go, and, right now, I am not so confident about how engaged the Scottish Government is or about how meaningful that engagement is. Therefore, I think that the visit would be important. The opportunity here is to minimise the stress to grieving families, modernise the investigation of unexpected and sudden deaths and build resilience into the system. The scanners

give us another tool that we do not currently have. The Human Tissue (Scotland) Act 2006 needs reform.

Today, I am giving only one example: the Stark family's situation. However, as you know from Ann Stark's submissions, many other families have found themselves in that situation. I thank the committee for its compassion for the Stark family, but we want every family to experience the same level of compassion and for the system to be modernised. Thank you.

**The Convener:** Thank you very much for that, Monica Lennon.

We have now assembled a considerable amount of evidence. Having had a chance to discuss these matters privately as well, the committee is of the view that we now need to write to the Scottish Government directly highlighting some of the matters that we have raised.

I wonder whether one of my colleagues would like to summarise, for the record, what areas we are proposing that that letter would cover.

**Fergus Ewing:** There is a lot of ground to cover, so I will just read the text from our briefing paper.

**The Convener:** Yes, it is a comprehensive series of asks.

**Fergus Ewing:** It is. I am very grateful for Monica Lennon's work in taking up this matter so diligently, which is a credit to her. We should write to the Scottish Government to highlight the HM chief inspector of prosecution's view that consideration of the delivery model for forensic pathology is required, and that the Scottish Government should lead that work. In passing, I note that it was evident that the Crown Office and the Lord Advocate passed the buck in their evidence by saying that it is primarily a matter of medical evidence. They were, if you like, not taking the lead, so the Scottish Government should take the lead in that regard.

In addition, we should highlight the issues and suggested improvements to pathology services that were raised during the committee's consideration of the petition, including the lack of clear direction and fragmented nature of the service, which is leading to challenges in resolving issues as they arise and the inconsistent and unclear communication with the next of kin, as well as the suggestions that tissue samples are returned to the next of kin and that CT scanners are used as an alternative to invasive post mortems. Thanks to the petitioners, Monica Lennon and the committee's work, we have had a lot of evidence about each of those issues, so there is no point in rehearsing all that.

We should also highlight concerns in forensic pathology services about value for money, affordability, sustainability and contractual terms, as noted in the HM Inspectorate of Prosecution in Scotland's annual report. We should highlight COPFS's call for a national forensic pathology service.

We should recommend that the Scottish Government brings together service providers, the Crown Office and stakeholders to consider the key challenges that face pathology services as identified in the petition and the inspectorate's report,

takes ownership of and leads the development of a delivery model for pathology services, and ensures that any delivery model facilitates continuous and long-term improvement of pathology services.

In conclusion, that is all a bit dry—it is MSP-speak—but at its heart is the concern that the next of kin's wishes should be respected and taken into account, and that they should be treated with dignity and respect in the desperately difficult situation that they face.

**The Convener:** Thank you, Mr Ewing. That obviously draws on a lot of what the committee has heard. In the first instance, I think that we should set that out to the Government in the terms that Mr Ewing has suggested, and see what response we get, which would then inform how we might take forward the matter. Do members agree with that proposal?

**Members *indicated agreement.***

**The Convener:** We will keep open the petition and act on that basis. I thank members and the petitioners for the work that has been done.



## **Annexe C: Written submissions**

### **Minister for Public Health and Women's Health written submission, 19 September 2024**

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

Thank you for your letter of 8 August 2024 seeking views on Petition PE1911.

I am responding as the Minister for Public Health and Women's Health with portfolio responsibility for hospital arranged post-mortem examinations.

As your letter is primarily concerned with improvements to forensic pathology, my response includes views from the Office of the Chief Medical Officer (CMO), and the Crown Office and Procurator Fiscal Service (COPFS).

I am very sorry to hear of the loss of Mrs Stark's son, Richard, and echo the sincere sympathies expressed by others in previous correspondence to Mrs Stark personally and to the Committee.

The Scottish Government has responded to the Committee's call for a review of the Human Tissue (Scotland) Act 2006 ("the 2006 Act"), in particular with regards to tissue sample handling, in the submissions of [15 November 2021](#) and [5 January 2022](#). The position has not changed as it is essential that COPFS are able to undertake independent investigations into a cause of death, without which, the death cannot be registered.

The Scottish Government agrees with the views of The Royal College of Pathologists in [their submission](#) of 10 January 2022, and does not support legislative change to offer tissues and samples to next of kin as a matter of course.

You may be aware that concerns about the current provision of forensic pathology services were also raised with the Scottish Government by the Criminal Justice Committee in March of this year, following HM Inspector of Prosecution's Annual Report 2022-23. The Scottish Government has taken careful note of the comments and concerns raised and officials are currently undertaking, in partnership with colleagues in COPFS and other interested parties, an assessment of the present arrangements, to consider whether and how they might be improved.

COPFS is currently progressing with a co-design process to prepare a business case for the future of forensic pathology services, underpinned by a financial model, which they intend to submit to the Scottish Government later this year. In the meantime, COPFS is continuing to work with pathology, mortuary and toxicology service providers and other stakeholders to identify areas where improvements can be made.

The officials leading on this work have [undertaken to write to the Criminal Justice Committee in due course](#) with their conclusions and, when they do so, will copy that letter to the Participation and Public Petitions Committee for information.

Yours sincerely/Regards,

**Jenni Minto MSP**

**Petitioner written submission, 29 October 2024**

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

**Richard Stark's Law**

Thank you to the Committee for their support in addressing my petition and the urgent needs of families affected in non-suspicious deaths which are NOT CRIMINAL and many MSPs agree. We don't believe the toll on families is being properly understood.

As parents who have experienced the treatment first-hand, we continue to be frustrated by the lack of meaningful action and the slow pace. Whilst the Government's response has acknowledged some of the issues, many points remain insufficiently addressed.

Someone in Government should take ownership of this and address the Committee's recommendation to lead. The response does not give a clear answer. The Scottish Government should attend a committee meeting to engage in a more productive discussion on the necessary reforms. At present many of these systems are not fit for purpose.

The law allows retaining tissues of OUR loved ones following a Crown Office Procurator Fiscal Service post-mortem. This is the DNA of a whole family! And many are non-suspicious deaths. We ask the Committee to push for change.

Given the differences in practices between Scotland and the rest of the UK, we are no clearer on what is preventing the Government from aligning with polices in England, Wales, Northern Ireland and now the Republic of Ireland who changed in December 2022 where families are offered tissue samples if investigations have been performed.

What barriers exist to adopting scanners sooner? The Government has acknowledged staffing pressures. The response to the Committee is vague.

The communication failings that our family and many others have experienced is alarming.

Government/medical professionals need to balance changes to post-mortem procedures with the needs of grieving families like ours.

This petition was submitted three years ago. It has 3,280 signatures and is increasing, we are no further forward. It's not just us who want progress, we have many families needing reform. It is imperative for the Committee to request the correct Minister to be invited to attend a committee meeting.

Dr Adeley addressed the Committee in December 2022. I discovered he led a TV programme "Cause of Death". A coroner collects circumstances/medical records/police reports. A view and grant post-mortem with toxicology is performed looking for a likely cause to rule out any post-mortem, if no cause is found a scanner

post-mortem is performed. If nothing is found, which is rare, a limited/targeted PM is performed. The family's wishes are taken into account! This demonstrates the efficiency and respectfulness to handling deaths. This has shown me the thoughtfulness and care taken to detect a cause of death whilst supporting grieving families wishes. Scotland should be ashamed, seems scalpel happy here. Many feel there is a black market for samples of OUR loved ones. Scanner PMs take 15 minutes, deceased unharmed, cost effective, 96% accurate. A pathologist can never be 100%, so for 4% is it worth mutilating loved ones and destroying families? Radiologists are already trained to read scans. This could be up and running in 8-12 weeks. I have spoken to a Scanner Provider.

If Richard had died in England he would not have been subjected to an invasive post-mortem/samples taken as this was a non-suspicious death with evidence already there. I don't believe Richard's evidence was read!

The Government have advised the shortage of resource/funds. We have given solutions below.

Remove non-suspicious deaths from the Procurator Fiscal (NOT CRIMINAL) this is destroying innocent families who will NEVER recover. The next of kin should have the CHOICE of a likely cause, uncertain recorded or to request a post-mortem by scanner. This would save on resources and costs.

There should be NO PMs unless Murder/Suspicious. Many MSPs have mentioned an opt-out system and a pathologist did advise if we didn't want a PM to have it recorded on our medical records.

Procurator Fiscal should ONLY be dealing with Murder/Suspicious Deaths as these come under CRIME and there has to be justice.

NO removal of brain, throat and tongue - this is Barbaric! -NOT acceptable

Tissue Act must be changed: samples taken for investigation should be offered back to the N.O.K – this is their loved one and doesn't belong to anyone else! This is stealing the DNA of that whole family and storing WITHOUT CONSENT.

Doing the above will save a fortune, resources etc and will stop the unbearable pain on the N.O.K. Believe me they will NEVER RECOVER! Most are on medication (there's a cost), lost careers, broken marriages, nightmares etc all for a death certificate which is worthless as most of them are wrong! Medics have advised that their loved ones have the wrong cause recorded.

This Government could change the above in months, in the meantime think of the families being destroyed on its watch. Look at your loved ones tonight, would you want them to go through what Richard did and to have your family destroyed like ours and many others? Some cannot speak of their experience, and many have advised they will never vote again.

Listening to the King's speech, his support for Scotland and the importance of compassion. We think it is time he knew the lack of compassion, respect and dignity. These post-mortems/retention of samples would NOT happen to his family.

All involved in this seem to forget that they are there to represent the people in Scotland – not destroy them! We have been left with a life sentence and we will NEVER forgive those involved. Do the right thing, make the changes above and

QUICKLY. Leave a legacy of a better and fairer Scotland. We were so proud of being Scottish, I am ashamed at present, as are others. Our loved ones are mutilated in this cruel system – there is no need for it, it is bad enough that murder/suspicious cases go through this.

You have no idea of the unbearable pain families are going through in NON-SUSPICIOUS deaths which are NOT CRIMINAL, and they shouldn't be treated so. This is mental cruelty!

If you wish to leave your body/organs to science or assisted dying that is YOUR CHOICE and rightly so! Unless Murder/suspicious we should have the CHOICE.

I asked pathologists this week if any samples were sent elsewhere or out with this country. I have been referred to the Scottish Fatalities Investigation Unit who will tell us they know nothing about samples! On a wild goose chase again! If the Procurator Fiscal has no control over pathologists, they should not be handing over OUR loved ones to them! They should be able to gain the answers to our questions as they employ these pathologists.

Where are samples being stored? There must be millions taken in a year.

### **Petitioner written submission, 14 April 2025**

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

##### **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?

## **Annexe D: Extract from the First Minister's letter to Conveners Group**

'Last year the Cabinet Secretary for Justice confirmed to the Convener of the Criminal Justice Committee that work had begun between Scottish Government, the Crown Office and Procurator Fiscal Service (COPFS), NHS Scotland, Universities, Local Authorities, as well as providers of other connected services, to understand the complexities of the current arrangements for provision of pathology services to the COPFS, and to develop possible alternative models for delivery. This is a complex task and so any form of alternative delivery model will take time to develop. I can assure you however that work is ongoing and, in the meantime, the COPFS continues to work closely with these service providers to identify areas where ongoing improvements can be made.

In addition to the complexities I note, you will appreciate that pathological investigations are undertaken for a variety of reasons, including in relation to both healthcare and criminal justice. As such, the issues raised at both the Criminal Justice and Citizens and Public Participations Committees are cross-cutting in nature. Nonetheless, I can confirm that the Cabinet Secretary for Justice has previously undertaken to write to the Criminal Justice Committee, once assessment of the current situation and requirement for change has been undertaken, and options for alternative delivery models have been fully considered. Further, I can confirm that she will copy that letter to the Convener of the Citizens and Public Participations Committee.'