

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

Petitioner submission, 16th May 2024

Richard Stark's Law.

We plead with MSPs to leave a legacy behind and clean up this current law with the below. This will give everyone in Scotland the CHOICE.

If scanners are adopted, they will not be for Procurator Fiscal cases which would include **non-suspicious** deaths.

We had a meeting with the Lord Advocate and Head of Procurator Fiscal they advised there is a shortage of resources within the Procurator Fiscal & Police.

Procurator Fiscal should **ONLY** be involved in Murder/Suspicious cases, non-suspicious deaths are **NOT CRIMINAL CASES**, there are more innocent people than criminals and this is destroying families.

Removing non-suspicious deaths would free up resources, speed up funerals for families and would save a fortune that could be used for more nurses/radiologists/equipment/pensions as pensions are poor in this country and taxed.

Changes:

1. Non-suspicious deaths should be removed from the Procurator Fiscal as they are **NOT** criminal cases. N.O.K should have the **choice** of "likely cause" "uncertain" or request a post-mortem by scanner.
2. Murder/Suspicious cases a post-mortems should be performed by scanner and **only** if needed limited.
3. **No** removal of brains, throats or tongues – barbaric!
4. Samples for investigation should be taken by keyhole surgery as it would in the living – they deserve the same respect!
5. Samples should be offered back when a death certificate is issued. They should have the choice to collect samples in person.

It seems we have **NO Human Rights** in this country, others are dictating what happens and this is wrong! Choice to Vote, Freedom of Speech. Your body and your, loved ones belong to YOU!

If the Procurator Fiscal have so much confidence in Pathologists, why are 1 in 10 deaths pulled from the system for checks? If the Procurator Fiscal is not satisfied with the cause, a post-mortem is performed, and samples are taken! Pathologists **can only give their belief** in a cause of death and in the process, they are destroying families with these PM's! **Medics are not covered by law, but pathologists are, which tells it all, they are performing immoral acts on our loved ones! How do they sleep at night!**

We were advised for years that we had all samples of Richard. This was untrue, and a sample or more still missing. We and the Lord Advocate were deceived. **Who do you trust?** Questions not answered, doors closed, sent on wild goose chase for years. All **adding to the most unbearable pain you will ever feel** – in a non-suspicious death! This whole system/law is not fit for purpose. The public think there is a black market for samples. Where are samples stored?

2014 there were 150 suspicious/murder cases - **1200 NON-SUSPICIOUS deaths** they **ALL** went through a post-mortem! Yet 1200 were not criminal cases. Money being wasted when this country is struggling, and lives destroyed!

Next-of-Kin will **NEVER** recover from this ordeal when the Procurator Fiscal are involved, we certainly won't and like many families, we will never forgive all involved. So many innocent lives destroyed but who cares – they don't!

Do you know the effects this has on the N.O.K. – serious health issues, cannot work, careers destroyed, can't sleep, nightmares, anxiety, broken marriages, all caused through others! The Procurator Fiscal and Pathologists abuse their power at present and have too much power when it comes to NON-SUSPICIOUS DEATHS.

In Murder/Suspicious cases, pathologists should not have a free hand to do as they please and help themselves. This is someone's loved one and **still a person!** The Royal College of Pathologists, General Medical Council and Health Boards should be answerable to someone. They have been getting away with this for years!

Public think a routine post-mortem is performed on the torso this is **NOT** the case. The brain/throat/tongue are removed too, the Procurator Fiscal are aware of this and allowing it. Samples are taken, fluid is extracted from eyes - monsters!

In 2023 two pathologists were asked if brains were always removed and still soaked for weeks to bond cells, (easier to section) a brain is the consistency of jelly. The pathologists were reticent, then eventually advised **YES**. Asked if the brain was returned to the body, they would not confirm this.

The Lord Advocate and the Procurator Fiscal advised they are sensitive to religious and cultural backgrounds – **this is discrimination!**

What gives others the right to think they can treat OUR loved ones in this manner. The Procurator Fiscal signing off samples of OUR loved ones to hospitals/Universities etc and then tell you they DON'T know where they are! Samples are stored in wax/frozen for a minimum of 30 years – this is stealing, the law cannot have rules for some and different rules for others. We should go out of this world the way we came in - we were **NOT** born for science unless we have given consent! We are advised to protect our DNA and the law is allowing it to be stolen and our loved ones to be butchered in a 500 year old procedure. **People are jailed for less!**

Lungs stored for years without the knowledge of the next of kin. Lungs/Samples/Parts taken **without consent!** Where is the respect for the deceased? The Lord Advocate advised the next of kin are informed if organs are taken, this is **NOT** the case. Parts of loved ones abandoned like rubbish in freezers! What kind of country are we living in? Those who made the decisions on this, current law/policies should be ashamed.

A baby's coffin exhumed, no baby, this baby has never been found, yet samples were retained! The mother fought for years, retrieving samples March 2023, she died months later, spent her life fighting this system shameful!

It seems those making decisions suit themselves, with not a thought for the N.O.K or the deceased. Advising post-mortems are to find a cause for the family-nonsense! We knew the cause yet had to fight for years to have it recorded. They have **destroyed this family for life!** The law is there to protect instead it is destroying the innocent – mental cruelty! And all are turning a blind eye to it!

Many MSPs were shocked at discovering what is going on and agree that non-suspicious deaths are **NOT** criminal cases. These post-mortems enable samples to be taken.

The Lord Advocate advised that Richard's death was **NEVER** considered to be suspicious yet look at what they did!

Anyone with any morals and compassion would change all of this system – it makes sense.

In the Committee meeting, the Lord Advocate advised she would support changes and reiterated this when we met up with her.