



**PUBLIC PETITION NO.**

**PE01442**

**Name of petitioner**

Douglas Reid

**Petition title**

The body upon death becomes part of the estate

**Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to amend the law to provide that a person's dead body is part of their estate and in effect clearly invokes their will.

**Action taken to resolve issues of concern before submitting the petition**

Having spoken to undertakers and representatives of anatomical departments of universities I then raised the matter with my MSP Helen Eadie (who supports my raising this issue by way of a petition). She has raised the matter on my behalf with Scottish Government ministers. The Scottish Government's response was that certain steps were required to ensure correct body disposal but that there were no plans to change the law in line with my suggestion. The undertaking profession does not advise on body disposal, they carry out the wishes of the Executor.

There seemed to be a general view that a will did not have to be honoured with regard to a body.

**Petition background information**

As the law stands, if a person wants to donate their body to medical science, and as legally a body is not part of the deceased's estate, any will they have made can be ignored by the family of that person and the body will not be donated, contrary to what had been the wish of the deceased person.

It is distressing to a person that having gone to the effort and time to arrange the donation of their body to medical science that their wishes could be overruled.

My petition calls for the law to be changed so that a person's heartfelt last will and testament should be upheld in terms of wishing to donate their body.

**Unique web address**

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/estateondeath>

## Related information for petition

**Do you wish your petition to be hosted on the Parliament's website to collect signatures online?**

YES

**How many signatures have you collected so far?**

0

**Closing date for collecting signatures online**

07 / 09 / 2012

## Comments to stimulate online discussion

Being an outright supporter of maintaining citizens' rights I was astounded to find out that having painstakingly drawn up my last will and testament, which I believed to be sacrosanct, one wish – that after my death my body be used for medical research, can be over-turned or influenced by a member of my family. This is possible because in law your dead body is not part of your estate. Surely in this enlightened 21st Century this must be amended.