

## PE1442/D

University of Glasgow Letter of 13 November 2012

Dear Alison,

At first sight, the petition (PE1442) by Mr Reid appears to be well-intentioned and enlightened – preventing the donation of a body for medical teaching being frustrated by others after the donor's death. However, I have had many years' experience as a Licensed Teacher of Anatomy and there are certainly occasions when a medical school would not wish to accept a donation against the wishes of the family.

In normal circumstances, we would expect a donor to discuss their wishes with their spouse and other close family, so that this generous bequest does not come as a surprise at the time of death. Unfortunately, we know that sometimes this simply does not happen. Problems may also arise when those close relatives pre-decease the donor, or when the donor acquires a new family after a re-marriage, and those left to deal with the death of the donor are wholly unaware of the intention – especially when the forms were completed many years before. In some cases, the family are unable to accept that their loved one may not receive final disposal for a year or two after death. We would not normally try to enforce donation in the face of a known family grievance. On the few occasions when we have persuaded a wavering family it has proved a mistake and we have ended up releasing the body before it has been of proper use in medical teaching.

Sometimes a person other than the donor's family can frustrate a bequest – for example if a post mortem examination is ordered. Organ removal for transplant is another situation which will render a donated body unsuitable.

The idea of a person being able to will their body as a piece of property seems a very wide issue. Would it (could it?) be limited to the circumstances Mr Reid envisages, or would it need to become a universal provision under law with all sorts of unforeseen repercussions? In any case,

- (a) Whilst we do accept a small number of donations made by individuals in their wills, this is not the normal route for donation. We expect potential donors to approach us and complete the appropriate forms as used by all Scottish medical schools. There is usually a series of contacts between the potential donor and a bequest secretary within an anatomy department so that we can cover all angles and ensure that there is informed consent. It would be inappropriate if "my will" became a widespread route by which bequests were made (though I appreciate this is not the intention of the petition) and it is certainly prudent for the will to refer to the existence of the donation.

- b) It is not clear if the petitioner expects a declaration of donation in a will to be more binding on a medical school than the current arrangement. Whilst we make every effort to honour all donations in the spirit in which they are made, there are circumstances in which we will turn down a donation because of medical conditions (this is made clear in the forms), or even suggest that the donation went to a different medical school which we knew was in need; again, this is made clear at the time of donation, but might not be possible through a will if the donation specified a particular medical school.

Whilst I have every sympathy with Mr Reid's intentions I, personally, would not wish to see an alteration to the present arrangements.

Yours sincerely,

Professor A. P. Payne