

Consultation paper: *Guidelines for the retention of tissues at post-mortem examination*

- information lost if the opportunity to retain tissue is denied. Furthermore, archives of retained tissue continue to help medical progress long after their initial use.
- 1.4 The need to retain a whole organ occurs most commonly in the post-mortem investigation of disorders of the nervous system; in such cases, the brain and/or spinal cord should be retained for further examination after fixation. The diagnosis of many diseases of the brain requires specialised investigations which are not available in many hospitals; the brain has to be referred to a specialist laboratory. Occasionally complete examination of the heart may require its retention. The need to retain an eye or eyes is even less common; relatives must be reassured that aesthetically acceptable reconstitution of the face will be undertaken in such cases.
- 1.5 Relatives' attitudes to organ retention may vary according to:
- their view of the importance of the deceased's wishes and their regard for the medical benefits of examining the body after death;
 - the age of the deceased and proximity of the relationship;
 - the symbolic and cultural significance of individual organs.
- 1.6 Relatives and the public generally need to be better informed about how post-mortem examinations lead to improved medical practice. The falling clinical post-mortem examination rate impacts adversely upon clinical audit. Satisfactory rates should be an integral component of a hospital's clinical governance strategy.
- 1.7 Advice regarding the way in which withholding consent would limit the utility of the post-mortem examination, for example in terms of answering questions about the deceased's illness, should always form part of the information given to relatives considering giving consent to the retention of tissues.
- 1.8 These guidelines on the retention of tissue are intended to help all doctors and particularly pathologists and Coroners, Procurators Fiscal and their staff make difficult decisions about this sensitive issue, and thereby to ensure that the post-mortem examination continues to have public support and be conducted in a manner in which the public has confidence.

Legal and ethical principles

- 2.1 The following principles apply to the retention of tissues:
- a) Retention of tissue must be legal, i.e. must not contravene statute or breach a common law tenet (e.g. obscene display).
 - b) Retention of tissue must be professionally regulated to high ethical standards.