

January 2012

*1. Please provide a breakdown of all instances where a person's organ(s) have been, or are thought to have been, removed during post-mortem examinations and either disposed of or retained for more than one month, without permission from the patient's family. This should not include organ donation.*

*2. Please provide this information dating back as far back as possible and up until the present day.*

*Please provide an Excel spreadsheet with a breakdown showing every instance. For each instance, please provide as much of the following additional information as is available:*

*(1) Whether the disposal/retention definitely occurred, or whether it is merely thought to be a possibility;*

*(2) What organ(s) were disposed or retained;*

*(3) The age of the person whose organ(s) were removed;*

*(3) The date that the organ(s) were removed;*

*(4) How long the organ(s) were retained for;*

*(5) Whether or not relatives have so far been informed about the disposal/retention;*

*3. Please also state the number of organs currently being held following post-mortem examinations without the express permission of the patients' relatives. Again, this should not include organ donation.*

*If it is not possible to provide all of the information requested, please nevertheless provide as much of it as is possible.*

If a post-mortem is ordered by a Coroner, it must take place by law, whether or not the next of kin agrees with the Coroner's decision. In circumstances where the Coroner authorises the pathologist to find the cause of death, the pathologist may then deem it necessary to take tissue samples to find the cause of death. Consent from next of kin is not required in these circumstances however next of kin will be notified.

Once the Coroner's jurisdiction has finished, the tissues are disposed of in accordance with the relatives' wishes.

If a post-mortem is requested by the hospital, the hospital must obtain written consent from the deceased's next of kin or nominated representative.

Source: NHS choices <http://www.nhs.uk/conditions/Post-mortem/Pages/Introduction.aspx>

Prior to the Alder Hey inquiry in 1999, published 2001, it was not always practice in hospitals to obtain consent for organ retention. At that time the surveys required by

the Retained Organs Commission were undertaken in Southend University Hospital and established that at that time, nothing was retained.

Since the passing of the Human Tissue Act in 2004, we have not removed/retained/disposed of any organs without permission of family or HM Coroner.

Southend University Hospital is licensed by the Human Tissue Authority, has been audited by them and is fully compliant with the standards set by them.

*Could you clarify whether there is any record of unauthorised organ retention prior to the Human Tissue Act?*

For clarification, we can confirm that the Trust holds no records of unauthorised organ retention prior to the Human Tissue Act.