

SHERIFFDOM OF LoTHIAN AND BORDERS AT EDINBURGH

[2023] FAI 28

EDI-B61-23

DETERMINATION

BY

SHERIFF WENDY A SHEEHAN

UNDER THE INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS ETC
(SCOTLAND) ACT 2016

into the death of

JOHN ADAIR McGROGAN

EDINBURGH, 25 MAY 2023

The sheriff, having considered the cause, determines:

[1] At the time of his death, Mr McGrogan was lawfully imprisoned within Her Majesty's Prison Edinburgh. Under Section 2(4)(a) of the Inquiries into Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016 ("the 2016 Act") an inquiry is required to be held into the circumstances of his death.

[2] The joint minute of agreement (6 of process) forms the entirety of the evidence before the Inquiry. It details the circumstances of Mr McGrogan's death and his care and treatment within HMP Edinburgh, the Western General Hospital, Edinburgh and at the Royal Infirmary of Edinburgh and incorporates the evidence of prison officers, NHS staff, and a forensic pathologist.

Section 26(2)(a): where and when the death occurred

[3] Mr McGrogan died in Room 10, Ward 207 at the Royal Infirmary of Edinburgh, 51 Little France Crescent, Old Dalkeith Road, Edinburgh. His life was formally pronounced extinct on 30 September 2021, at 15:01 hours by Dr Pauline Jones, Consultant Physician, Royal Infirmary of Edinburgh.

Section 26(2)(c): the cause or causes of the death

[4] Complications of metastatic small cell carcinoma of the lung.

[5] No findings are made in terms of section 26(2)(e) or (f) and no recommendations are made in terms of the matters in Section 26(4) of the 2016 Act.

[6] I offer my condolences to the family and friends of McGrogan for their loss.