
SHERIFF COURT, Falkirk

Fatal Accident

Inquiry ON 27 May 2011

Minutes

Before Sheriff Caldwell

Appeared Aileen Gordon

procurator fiscal depute at Falkirk who presented the petition at her instance, under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act, 1976, relative to the death of

James Buchanan Kaney

which took place on 22 October 2010 with deliverance thereon directing a public inquiry to be held at this time and place in regard to the cause of the death of the said James Buchanan Kaney and the circumstances thereof

(*) Insert

"thereof"

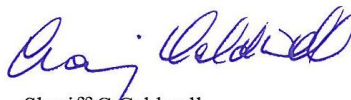
or

"of the accident"

PRESENT:- no persons were present

FALKIRK, 27TH May 2011

The Sheriff, on the motion of the Prosecutor, Allows the evidence in the inquiry to be submitted in the form of affidavits and relevant productions; and in respect that no other party appears or has claimed an interest and that the whole evidence is to be received in written form, Dispenses with the requirement for the recording of the evidence.


Sheriff C. Caldwell

FATAL ACCIDENTS AND SUDDEN DEATHS INQUIRY (SCOTLAND) ACT 1976

DETERMINATION

by

CRAIG CALDWELL, Esquire, Sheriff of Tayside
Central and Fife at Falkirk

following an Inquiry held at Falkirk

into the death of

JAMES BUCHANAN KANEY

FALKIRK, 27th May 2011

The Sheriff, having considered the evidence and having heard submissions by the Prosecutor,
Makes the following determination.

In terms of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 Section
6(1)(a):

that Mr Kaney died on 22nd October 2010 at 09.46 hours in Stirling Royal Infirmary, Livilands
Gate, Stirling following a collision between the taxi being driven by Mr Kaney and an
articulated lorry on the Lathallan roundabout near to the exit to the A801 to Maddiston.

In terms of 6(1)(b) of the said Act:

that the causes of death were

(a) multiple injuries

(b) blunt force trauma

That the death resulted from injuries sustained in the collision between Mr Kaney's vehicle
and the articulated lorry referred to above. That collision took place as a result of Mr Kaney
driving his vehicle on the roundabout in the wrong direction thereby causing a collision which
the driver of the articulated lorry could not avoid.

There was no evidence or submission in terms of which a Determination in terms of 6(1)(c),
6(1)(d) and 6(1)(e) could be made.

Reported by


Sheriff C Caldwell

Witnesses in this FAI were:-

Police Constable Neil Mealey, Central Scotland Police
Police Constable Raymond Crossan, Central Scotland Police
Mark McFarlane, I Ness Court, Inverness
Dr David Sadler, University of Dundee
Peter Maskell, University of Dundee
Michael Foreman, Central Scotland Police
Detective Constable Steven Inglis, Central Scotland Police

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