

SHERIFFDOM OF GRAMPIAN, HIGHLAND AND ISLANDS AT ABERDEEN

**UNDER THE FATAL ACCIDENTS AND SUDDEN DEATHS INQUIRY
(SCOTLAND) ACT 1976**

DETERMINATION

By

Sheriff J.K. Tierney

**Sheriff of Grampian, Highland and
Islands**

At Aberdeen

In

FATAL ACCIDENT INQUIRY

into the death of

NEIL WILLIAM CADGER

On the 16th May 2006 at approximately 1350 hours while acting in the course of his employment Mr Neil William Cadger, born on the 31st July 1987, was involved in a road traffic collision when the small van he was driving was involved in a head on collision with a large goods vehicle. The accident occurred when Mr Cadger, in the course of an overtaking manoeuvre, pulled out from his carriageway into the path of the oncoming vehicle. Mr Cadger sustained massive injuries, including brain injuries from this collision and he died instantaneously from the injuries which he had sustained. There are no issues relating to systems of work or reasonable precautions which arise from the accident. It was a dreadful and tragic accident which arose from a single error of judgement on the part of Mr Cadger and tragically once that error had been made the accident became inevitable. The lorry driver, Mr Mackenzie, took avoiding action by braking and seeking to put his lorry off the road but unfortunately this was to no avail.

He was not at fault in the accident. I would like to conclude the inquiry by expressing my sympathy to all of the family of Mr Cadger who have lost a young son and a brother in such a tragic way.

That concludes the inquiry.