

SHERIFFDOM OF TAYSIDE, CENTRAL AND FIFE AT PERTH

[2026] FAI 39

PER-B88-26

DETERMINATION

BY

SHERIFF W M WOOD

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

into the death of

CHARLES THOMAS ENNION

Perth, 27 July 2026

The sheriff having considered the information presented at an inquiry on 14 July 2026, determines in terms of section 26 of the Inquiries into Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016 (“the Act”) that:

1. The deceased is Charles Thomas Ennion, born 15 March 1948. At the time of his death, he was 76 years of age. He was married to Mrs Wendy Ennion, with whom he had two sons, David and Mark Ennion. He and his family farmed at Little Glenshee Farm and Head of Moulin Farm, Perthshire. At the time of his death, the deceased was a self-employed farmer.
2. In terms of section 26(2)(a), the death occurred on a hillside to the rear of Little Glenshee Farmhouse, Little Glenshee, Perthshire. Mr Ennion was pronounced life extinct at 0810 hours on 10 August 2024.

3. In terms of section 26(2)(b), the accident which resulted in Mr Ennion's death occurred sometime between 1930 hours on 9 August 2024 and 0700 hours on 10 August 2024 on the side of a hill known as the Head of Moulin Farm Hill.

4. In terms of section 26(2)(c), the cause of death was:

I(a) traumatic asphyxia; and (b) entrapment under vehicle (quad bike)

In the post-mortem report by Dr Tamara McNamee, it was noted that cardiac failure with a pacemaker was judged to be a contributing factor.

5. I make no findings in relation to section 26(2)(d) - (g).

NOTE

Introduction

[1] A fatal accident inquiry was held at Perth Sheriff Court on 14 July 2026 into the death of Charles Thomas Ennion.

[2] The only party to appear at the inquiry was the Crown, who was represented by Mr Goel. Mr Ennion's family had declined to participate, and no observers were noted to be in attendance.

[3] For the purposes of the inquiry the Crown intimated a detailed Notice to Admit dated 7 July 2026 which covered all the evidence which required to be placed before the court. I was invited to make only formal findings in terms of sections 26(2)(a), (b) and (c) of the Act. No witnesses were led and the inquiry proceeded on the basis of the admitted evidence and productions. I then heard submissions on behalf of the Crown before closing the inquiry.

The legal framework

[4] The inquiry was held under section 1 of the Act. It was a mandatory inquiry in terms of section 2(1) of the Act as Mr Ennion was, at the time of the accident which resulted in his death, apparently acting in the course of his employment as a self-employed farmer.

[5] In terms of section 1(3) of the Act, the purpose of an inquiry is to establish the circumstances of the death and to consider what steps, if any, might be taken to prevent other deaths in similar circumstances. Section 26 requires the sheriff to make a determination which, in terms of section 26(2), is to set out factors relevant to the circumstances of the death, insofar as they had been established to his satisfaction.

These are: (a) when and where the death occurred; (b) when and where any accident resulting in the death occurred; (c) the cause or causes of the death; (d) the cause or causes of any accident resulting in the death; (e) any precautions which reasonably could have been taken and if they had been taken might realistically have resulted in the death being avoided; (f) any defect in any system of working which contributed to the death or to the accident; and (g) any other facts which are relevant to the circumstances of the death.

[6] In terms of section 26(1)(b) and section 26(4), the inquiry is to make such recommendations (if any) as the sheriff considers appropriate as to: (a) the taking of reasonable precautions; (b) the making of improvements to any system of working; (c) the introduction of a system of working; and (d) the taking of any other steps, which might realistically prevent other deaths in similar circumstances. The procurator fiscal

depute represents the public interest. An inquiry is an inquisitorial process and the manner in which evidence is presented is not restricted. The determination must be based on the evidence presented at the inquiry. It is not the purpose of an inquiry to establish either criminal or civil liability.

Findings

[7] Charles Thomas Ennion was born on 15 March 1948 and was therefore 76 years of age at the time of his death.

[8] At the date of his death, Mr Ennion was working as a farmer at Little Glenshee Farm. Just past the Little Glenshee Farm is the Head of Moulin Farm. The farms and houses are tenanted by the Ennion family, and the farms have been leased to the Ennion family since August 1997.

[9] Mr Ennion was a very experienced quad bike driver and took care to replace his quad bikes every 2 years or so.

[10] On the morning of Friday, 9 August 2024, Mr Ennion commenced work around 7.00am with his grandson, Rowan Ennion and a self-employed agricultural contractor, Ross McKinnon. They were working at the Head of Moulin farm and there was a plan for sheep to be herded by Mr Ennion and his dog down to the farm to be sheared by Rowan and Ross. From around 7.00am until 1.00pm, Mr Ennion was pushing the sheep into a shed for Ross and Rowan to shear. Around 1.00pm, all three of them had a 2-hour break. Ross noted that Mr Ennion seemed tired, but this was not of any concern at the time.

[11] Around 3.00pm on 9 August 2024, as Rowan and Ross were herding the sheep off the hill at the back of Mr Ennion's house Head of Moulin, Mr Ennion was moving the sheep that had previously been sheared. Mr Ennion had opened a gate into a field to assist Rowan and Ross and then set off on the quad bike. Rowan and Ross continued to work until about 1930 hours that evening and did not see Mr Ennion again.

[12] At about 0600 hours on 10 August 2024, Ross received a text from his grandmother, Mrs Wendy Ennion, asking if Mr Ennion was all right as she was concerned for him. Ross Ennion then set out immediately to look for Mr Ennion. After about an hour, Ross Ennion found Mr Ennion on the Head of Moulin Farm Hill. He was on his back, with his feet pointing downhill. The quad bike had been tipped onto its right-hand side, with the front tyre resting on the left side on Mr Ennion's face. Ross found Mr Ennion cold to the touch, pale, unresponsive and not breathing. He contacted the emergency services. Although he tried to move the quad bike, he was unable to do so safely and therefore returned to the farm to help guide emergency services.

[13] At about 0730 hours, paramedics arrived. Due to the terrain, they needed Ross's assistance to reach Mr Ennion. They were able to release Mr Ennion from underneath the bike and remove him to a safe distance. On examination, they noted that Mr Ennion was cold and stiff to the touch and pronounced life extinct at 0810 hours. It was noted that full rigor mortis had set in, which typically takes between 6 - 8 hours to show.

[14] At around 0800 hours, the police had arrived at the *locus* and subsequently met the paramedics. Police mountain rescue services were contacted to assist with moving the body. It was noted that there was bruising to the left side of Mr Ennion's face and

there appeared to be an impressed pattern on his cheek. On removing Mr Ennion's cap, there was bruising observed to his head but there were no open wounds. There were signs of post-mortem staining, and the deceased had an impressed pattern on his chest and stomach. Mr Ennion had blood on his left hand and what appeared to be grazing and cuts consistent with an abrasive injury.

[15] The track that leads to where Mr Ennion was found is an old cart track formerly used for horse and carts. Access is not possible there without a 4-wheel drive vehicle. Mr Ennion would have used that track many times over the years, but it was unclear why he had set off along the track that day to where he was found.

[16] A post-mortem examination was conducted on 16 August 2024 by Dr Tamara McNamee, a forensic pathologist. The causes of death were recorded as:

- I(a) traumatic asphyxia;
- (b) entrapment under vehicle (quad bike).

The post-mortem examination notes that there was a patterned imprint on the front of Mr Ennion's chest which could correspond with contact with the quad bike as well as contact pallor seen to the left side of his cheek. It was noted that there were moderate pinpoint (petechial) haemorrhages to the conjunctivae and eyelids which would be in keeping with an asphyxia mode of death due to entrapment under the vehicle. Trivial bruises, abrasions and superficial lacerations were seen to the forearms and left hand.

[17] Internal examination revealed two rib fractures on the left side of the chest and some minor soft tissue haemorrhage on the left side of the neck which was also in keeping with external compression of these areas with the quad bike. A pacemaker was

detected on the left side of the chest, but examination of the heart showed no acute changes. There was no other obvious acute natural disease to account for or hasten death.

[18] As the death was not witnessed it is not possible to ascertain whether Mr Ennion lost control of the vehicle or whether there was any mechanical failure or whether he had suffered from a cardiac arrhythmia or an ischaemic event due to his underlying cardiovascular disease whilst driving which has resulted in the vehicle being overturned and causing him to be trapped underneath. It was also possible that entrapment under the vehicle and the resulting asphyxia could have terminally exacerbated his underlying cardiac disease due to a reduced physiological reserve.

[19] PC Curry is a uniformed road policing officer with over 17 years police service. He is a highly qualified specialist police officer who has, *inter alia*, trained and qualified as a vehicle examiner and as an advanced road policing forensic (collision) investigator. On 10 August 2024, he had commenced duty at 0700 hours in uniform using a marked police vehicle. At around 0745 hours, he was sent to the incident by the area control room. He was not instructed to conduct any form of collision investigation nor to conduct any specialist investigation. Nevertheless, having noted its position, he carried out a cursory examination of the quad bike. It appeared to him to be undamaged and unmodified from its factory original condition: insofar as material, the running gear and switch gear appeared to be in order, as did the tyres; the suspension system appeared to be complete and undamaged and there was no obvious damage or distortion to any component that might have impeded the free movement of the handlebars and therefore

the steering system also seemed to be in good order; the fairings all appeared to be intact. Overall, he considered the vehicle to be in good condition.

Discussion and conclusion

[20] From all the evidence I have seen and considered, I have no difficulty in holding that the essential facts are as I have set them out in the foregoing paragraphs. It is a matter of conjecture beyond the ability of this court to surmise what the purpose of Mr Ennion's trip on the old cart track might have been, or how he came to be pinned under the quad bike. The condition of the quad bike as found by PC Curry is consistent with the evidence that Mr Ennion was plainly careful as to the condition of his quad bikes and replaced them at frequent intervals. In light of his experience in the use of quad bikes, and his knowledge of his land, it seems unlikely that he would have deliberately undertaken a dangerous manoeuvre that led to the quad bike rolling and coming to rest on his head and chest. There is no conclusive medical evidence of a cardiac event, and the cause of death is clear.

[21] The fact that two further generations of his family were engaged in working the farms would tend to suggest that Mr Ennion was much loved by his family and friends. The task of searching for and finding his grandfather deceased must have been somewhat grim for Ross Ennion.

[22] Given the circumstances of Mr Ennion's death, I am satisfied that only findings in terms of paragraphs (a), (b) and (c) of section 26(2) of the Act should be made in this case.

[23] I join with the Crown in offering my condolences to Mr Ennion's family and friends.