

**SHERIFFDOM OF GLASGOW AND
STRATHKELVIN AT GLASGOW**

DETERMINATION by JOHANNA JOHNSTON,
Queen's Counsel, Sheriff of Glasgow and Strathkelvin
following an Inquiry held at Glasgow into the death of
JOHN HENRY CROSBIE, born 6.1.72 who normally
resided at Flat 1/1, 17 Ballantay Road, Glasgow

Glasgow, January 2011

PART I: INTRODUCTION

[1] This is an Inquiry under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 into the circumstances of a death of John Henry Crosbie who died in Her Majesty's Prison Barlinnie, 81 Lee Avenue, Glasgow on the 17th of April 2009. His death was caused by ischaemic heart disease due to coronary artery atheroma.

[2] Mr Eoin McGinty, Procurator Fiscal Depute appeared in the public interest. Mr Duncan Mowbry, Solicitor, represented the Scottish Prison Service.

[3] The Inquiry heard evidence and submissions over the course of the 6th of December 2010. The Crown led five witnesses. The parties entered into a joint minute of agreement in respect of the evidence of the pathologist who conducted the post

mortem and the general practitioners from the surgery, which Mr Crosbie had attended in Castlemilk.

PART II: FINDINGS IN FACT

- (1) As at 17th of April 2009 John Crosbie was 37 years of age. He normally resided at Flat 1/1, 17 Ballantay Road, Glasgow.
- (2) Mr Crosbie had no significant past medical history and was apparently in reasonable health.
- (3) On 16th April 2009 John Crosbie was sentenced to six months imprisonment at Glasgow Sheriff Court. He was conveyed to HM Prison Barlinnie on that date and detained there.
- (4) On his admission to the prison, John Crosbie was examined by two members of medical staff. There were no concerns about his health at that time and he made no complaint about his health. He was accommodated in the First Night Centre at the prison.
- (5) On the 17th of April 2009 John Crosbie was examined by Dr Kural. Mr Crosbie reported no significant past medical history. Mr Crosbie advised Dr Kural that he had abused illicit drugs prior to his admission to the prison.
- (6) Dr Kural prescribed medication to assist with any symptoms of withdrawal. Dr Kural had no concerns about the health of Mr Crosbie. Mr Crosbie had not taken any of the prescribed medication before his death on the 17th April 2009.
- (7) On the afternoon of the 17th April 2009, John Crosbie was transferred from the First Night Centre to D Hall South Upper Wing. He was escorted to the wing by a prison officer.
- (8) Mr Crosbie was admitted to the wing and was allocated cell 31. He was escorted to the cell by Prison Officer Anthony Orr who left Mr Crosbie in the cell with the door unlocked.
- (9) Approximately an hour later, Officer Orr returned to cell 31. Mr Crosbie asked the officer for permission to use the telephone. The officer gave permission

and left. Mr Crosbie immediately went out on to the landing to use the telephone. The telephone is situated very close to cell 31.

- (10) Mr Crosbie did not at any time complain of feeling unwell to Officer Orr.
- (11) Mr Crosbie placed a call and the call connected to a number outside the prison. In the course of the call he collapsed to the ground. Officer Orr was still nearby and was alerted by another prisoner.
- (12) Officer Orr went to Mr Crosbie and saw that he was lying on his back a yard or so from the telephone. Mr Crosbie was making jerking movements and his eyes were rolling.
- (13) Mr Crosbie was put into the recovery position and Officer Orr tried to communicate with him. The officer called for help and asked another officer to call out the medical team. Officer Orr stayed with Mr Crosbie. He noted that Mr Crosbie was struggling to breathe.
- (14) At 15.45pm an emergency call was received at the medical centre in the prison. Dr Raman and other members of the prison medical staff answered the call and attended Mr Crosbie. Mouth to mouth resuscitation was administered and Mr Crosbie was given heart massage. An adrenalin injection was administered. Mr Crosbie was completely unresponsive and the attempts at resuscitation were unsuccessful.
- (15) An ambulance crew attended and Mr Crosbie was administered cardio pulmonary resuscitation by the paramedics. Mr Crosbie did not respond. He was certified dead at 16.13 by Dr Raman.
- (16) A post mortem examination was conducted by Dr Robert Ainsworth on the 23rd of April 2009 at the City Mortuary, Glasgow. The examination showed that Mr Crosbie had died of natural causes as a result of ischaemic heart disease due to severe coronary artery disease. These diseases could have resulted in a sudden collapse and death at anytime.

***PART III: DETERMINATION AS TO THE CIRCUMSTANCES OF THE
DEATH***

The Sheriff having considered all the evidence adduced FINDS AND DETERMINES in terms of Section 6(1) of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976:

1. In terms of Section 6(1)(a) that;
 John Henry Crosbie, born 6th January 1972, who normally resided at Flat 1/1, 17 Ballantay Road, Glasgow, died at Her Majesty's Prison, 81 Lee Avenue, Glasgow at 16.13 hours on the 17th April 2009.

2. In terms of Section 6(1)(b) that ;
 - (i) The cause of his death was :-
 - 1a: Ischaemic heart disease
 due to
 - b: Coronary artery atheroma ;

3. In terms of Section 6(1)(c), (d) and (e) there are no circumstances of the death to be set out.

PART IV: NOTE ON EVIDENCE

1. Mr Crosbie had no history of any cardiac problems. He was examined by members of the medical staff at the prison on his admission. He made no complaint of any health problems.
2. Mr Crosbie collapsed within a very short time of his admission to D Hall South Upper Wing. In the time that he had been on the wing, he had been in an unlocked cell and had walked from his cell to make a telephone call. He

had been seen moments before his collapse by Officer Orr. Mr Crosbie had started his telephone call when he collapsed.

3. Mr Crosbie received prompt and appropriate medical treatment. He did not respond to attempts to resuscitate him. Dr Raman expressed the view that there was nothing else that could have been done for Mr Crosbie.
4. The condition suffered by Mr Crosbie resulted in a narrowing of the arteries within his heart. The pathologist is of the view that this condition would account for his apparent sudden collapse and death and such an event could have happened at any time.
5. I wish to extend my condolences to the members of his family. Mr Crosbie was still a young man and it is tragic that he died at a time when he was away from his family and loved ones.

Glasgow, 14th January 2011.

Sheriff Johanna Johnston, Q.C.