

Sheriffdom of Tayside Central and Fife at Perth
Under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976.
Determination of Sheriff Michael John Fletcher, Sheriff of Tayside Central and Fife at Perth
in the inquiry into the death of
Carrie Helen Anderson date of birth 16 June 1980

Perth, 20th October, 2010

The sheriff, having considered the evidence led and productions, determines:

- (1) That Carrie Helen Anderson, died on 23rd February 2010 on the C410 Huntingtower to Crieff Road at its junction with C460 Gorthy to Auchterarder Road as a result of a road accident.
- (2) That the accident occurred at 13 20 hours on 23rd February 2010 at the said junction when Carrie Helen Anderson was driving a Peugeot 206 motor car registration number SL 52 NVJ which was in collision with a Renault Master Versa Minibus registration number PJ 54 WXX driven by Mrs Carol Rowe. Carrie Helen Anderson was driving in the course of her employment. The accident occurred when the vehicle driven by Carrie Helen Anderson emerged from the minor road onto the main road into the path of the vehicle driven by Mrs Carol Rowe.
- (3) That the cause of her death was I. (a) Cranial Injury; (b) Blunt Force Trauma (c) Vehicular collision (Unrestrained driver ejected from vehicle).
- (4) That in terms of section 6(2)(c) the death might have been avoided if the said Carrie Helen Anderson had been wearing the seat belt fitted to the vehicle.

Note.

The evidence presented by the Crown showed conclusively that Carrie Helen Anderson's death was the result of a road accident and the date place and cause of her death were as set out in the determination. Unfortunately she was thrown from the vehicle as a result of the collision and her fatal injuries were more than likely caused as a result of her violent leaving of the vehicle. The evidence was that it was likely that if she had been strapped in to the vehicle, and had not been thrown out she would not have been killed. The other persons involved in the accident were secured and not injured. The damage to the vehicle driven by Carrie Helen Anderson was more severe than that suffered by the other vehicle because of the nature of the collision but, because of air bags, it was more likely than not that her injuries would not have been fatal if she had remained in her seat. Thus this is another case which underlines the vital importance of securing the seat belt in the car every single time it is used and I have made determination (4) in order to state that publicly.