

SHERIFFDOM OF GRAMPIAN, HIGHLAND AND ISLANDS AT INVERNESS

UNDER THE FATAL ACCIDENTS AND SUDDEN DEATHS INQUIRY

(SCOTLAND) ACT 1976

DETERMINATION

By

Sheriff J.A. Brown

At Inverness

In

FATAL ACCIDENT INQUIRY

Into the death of

VERONICA LIZA BANKS

On the 2nd May 2007 Veronica Liza Banks was driving her motor car, registration number SJ52 VRX northwards on the A9 road. She was travelling in the course of her employment as a Solicitor to conduct a case in Elgin Sheriff Court.

At about 8.50am Miss Banks' vehicle was involved in a collision with a coach carrying school children travelling south on the A9 road. The collision occurred near the Ralia Junction. As a result of the collision Miss Banks suffered multiple injuries and died instantly.

The accident resulted from Miss Banks' vehicle moving across from the northbound lane into the southbound lane for no apparent reason. Road conditions were dry and visibility good. Traffic flow was light. The vehicle was not attempting to overtake another vehicle and was not been driven at an excessive speed.

There was a suspicion that Miss Banks may have been using her mobile phone however the memory of the mobile phone had been interrogated and the telephone was not in use at the time of the accident.

Miss Banks was not affected in anyway by alcohol or drugs and there is nothing to suggest that the collision was caused deliberately.

Both vehicles were subjected to post accident examination and no mechanical fault was found with either vehicle.

In these circumstances it is impossible to make any determination as to what caused Miss Banks' vehicle to cross onto the opposite carriageway.

Whilst there was evidence that files and papers were in the passenger foot well and on the passenger seat of Miss Banks' vehicle it would be pure conjecture to suggest that these formed any contributory factor in the accident by taking Miss Banks attention from the road.

The bus driver took what avoiding action he could and no fault rests with him.

This was clearly a tragic and dreadful accident. From the evidence which was led it is clear that the accident could have been caused by only a momentary lapse of concentration by Miss Banks but regrettably we will never know.

There are no issues relating to systems of work or reasonable precautions arising from the accident.

I should conclude by expressing my sympathy to Miss Banks' family for their tragic loss.

Sheriff J.A. Brown