

Forfar, 7th December 2007

The sheriff, having considered all the evidence, the productions and submissions, determines that James Angus Macaulay, born on 24th February 2007, and who resided at 14 Threewells Drive, Forfar, died on or about 12.37 hours on Wednesday 7th March 2007 at 27 Woodlands Avenue, Noranside, by Forfar, Angus, whilst carrying out electrical work to that last mentioned property as an independent electrical contractor. The cause of death was Electrocution, the electricity having been transmitted from a Domestic Mains Supply which he was using in the course of his work.

#### Note

[1] The above formal determination sets out in altogether stark term the cause of Mr. Macaulay's death.

[2] The purpose of an enquiry is not to allocate blame or responsibility but rather to set out in a public forum the whole circumstances surrounding the death.

[3] In any event, as the evidence has brought out, Mr. Macaulay was working on his own in the house at 27 Woodlands Avenue, Noranside. He was, clearly, an experienced operative and his colleague and fellow electrician, Mr. George Carnegie, (who gave evidence), confirmed that he held the late Mr. Macaulay in high esteem and did not doubt his professional abilities or capability to properly carry out the job in question.

[4] The evidence of Mr. JM Madden has however led me - inevitably as those who also heard the evidence may believe – that, for whatever reason, on this occasion Mr. Macaulay did not pay sufficient attention to certain basic rules of safety, with catastrophic consequences. There were two principal options available to him which would have made this routine work perfectly safe. The options were: -

- (a) to switch off either the circuit breaker or the isolator in the consumer unit and secure it in the “off” position before starting to work on the cable, and prove the cable to be “dead” before starting to strip off the insulation; or

(b) install the spur unit in the kitchen cupboard before the cable was connected to the ring main circuit, and then connect it to the ring main circuit after the supply to that circuit had been isolated.

[5] In these circumstances, the evidence points – sadly – to Mr. Macaulay having been the author of his own misfortune, the above steps not having been followed. The above basic steps, so eloquently spoken to by Mr. Madden, shows how easily this accident could have been avoided.

[6] I express the hope that, with the circumstances of this tragic death having been the subject of this Fatal Accident Inquiry today, all the late Mr. Macaulay's relatives will now find a degree of closure in this matter and feel able to move on with their lives.