

SHERIFFDOM OF TAYSIDE CENTRAL AND FIFE AT ALLOA

DETERMINATION

by

**DAVID NICOL MACKIE, Advocate, Sheriff
of Tayside Central and Fife at Alloa**

in

Inquiry into the circumstances of the death of

CHRISTOPHER McEWAN

in terms of section 6(1)(a)(ii) of the Fatal
Accidents and Sudden Deaths Inquiry (Scotland)
Act 1976

**ALLOA,
2nd November 2009**

The Sheriff **DETERMINES** as follows:

1. In terms of section 6(1)(a) of the Act that **Christopher Michael McEwan**, who was born on 4th April 1965, and late of H.M. Prison, Glenochil, died at Stirling Royal Infirmary at 05.45 a.m. on 25th November 2008.
2. In terms of section 6(1)(b) of the Act that the cause of death was:
 - 1) Hepatocellular carcinoma and its complications;
 - 2) Hepatitis C infection and
 - 3) Cirrhosis of the liver.

Sheriff David N Mackie

NOTE:

[1] This is a Fatal Accident Inquiry in respect of the death of Christopher Michael McEwan who was, at the date of his death, a person in legal custody, and in respect of whom the mandatory requirement for an Inquiry in terms of **section 1(1)(a)(ii) of the Fatal Accidents and Sudden Deaths (Inquiry)(Scotland) Act 1976** applied.

[2] Having heard the evidence of Dr Georgina Brown, a GP practising at the Springburn Health Centre, where the late Mr McEwan and his family were registered, Mrs Shona Malone, Healthcare Manager at Glenochil Prison, the Affidavit evidence of Dr John Kennedy Doig, Consultant Physician, Stirling Royal Infirmary and Dr David Sadler, Pathologist I am satisfied that it suffices for me to make formal findings only in terms of **section 6(1)(a) and (b)** of the Act as I have done. I make no findings in terms of sub-sections **(1)(c), (d) or (e)**.

[3] Far from finding any defects in the care and treatment of the late Mr McEwan I think it appropriate to record here that the opposite was the case. It is clear from the evidence I have heard and the relative records and reports that in the latter stages of his relatively short and troubled life the late Mr McEwan received from the National Health Service and from the Scottish Prison Service an excellent level and quality of care and treatment quite irrespective of his personal background and circumstances. He was not an easy patient to treat not least by reason of his personal aversion to being in hospital. It is a tribute to the objective high standards of those dealing with the late Mr McEwan in both the National Health Service and the Scottish Prison Service that his personal wishes especially regarding his stays in hospital were accommodated, that considerable measures were taken to investigate and meet his requirements for living within the prison setting including investment in specialist equipment and that in the end he was able to meet his end with perhaps more dignity than he lived much of his adult life. I pay particular tribute to the high levels of commitment and professionalism displayed by Mrs Shona Malone, the Healthcare Manager at Glenochil who supported the late Mr McEwan through his end of life journey.

Sheriff David N Mackie

Alloa,

2/11/09