

SHERIFFDOM OF GLASGOW AND STRATHKELVIN AT GLASGOW
INQUIRY HELD UNDER FATAL ACCIDENTS AND SUDDEN DEATHS
INQUIRY (SCOTLAND) ACT 1976, SECTION 1(1)(a) SECTION 1(1)(b)
DETERMINATION

by

SHERIFF LINDSAY WOOD, Sheriff of the Sheriffdom of Glasgow and Strathkelvin following an Inquiry held at Glasgow on the TWELFTH of JANUARY TWO THOUSAND AND FIFTEEN into the death of RICHARD WINSTON MURPHY, born 8 July 1957 who was in custody at Glasgow Royal Infirmary at the date of his death on 21 DECEMBER 2013 having been remanded in custody to HM Prison, Barlinnie, Glasgow on 28 November 2013

GLASGOW, 14th January 2015.

[1] This is an Inquiry under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 into the circumstances of the death of Richard Winston Murphy, who died at Glasgow Royal Infirmary on 21 December 2013.

[2] Ms Jenny Kilpatrick, Principal Procurator Fiscal Depute appeared in the public interest, Mr Dominic Scullion, Solicitor, Appeared for the Scottish Prison Service and Mr Mark O'Reilly, Solicitor, appeared for the National Health Service.

[3] The Inquiry heard evidence and submissions over the course of the morning of 12 January 2015. The Crown led evidence from three witnesses: (1) Sherine Lawson, Nurse; (2) Brian May, Prison Officer and (3) David Hood, Prison Officer. There was no cross-examination of any of the witnesses.

[4] A joint minute of agreement of evidence was lodged and signed by the respective solicitors. No other evidence was led.

[5] The sheriff, having considered all the evidence, finds and determines in terms of section 6(1) of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976:

- (i) In terms of section 6(1)(a), that Richard Winston Murphy, born 8 July 1957 and who had been remanded in custody to HM Prison, Barlinnie, Glasgow on 28 November 2013, died at Glasgow Royal Infirmary on 21 December 2013 having hung himself in his cell between 12.15 pm when he spoke to Mr May and 12.55 pm when he was discovered by Mr Hood, on 20 December 2013. Emergency treatment was carried

out on Mr Murphy at the prison and he was then conveyed to Glasgow Royal Infirmary where further treatment was administered and he was placed on a ventilator. His life was pronounced extinct by Dr Kathryn Paxty at 0230 hours on 21 December 2013.

- (ii) In terms of section 6(1)(b) that the cause of his death was 1a Hypoxic ischaemic encephalopathy due to 1b hanging. This followed a post mortem examination carried out at the Southern General Hospital, Glasgow on 24 December 2013
- (iii) In terms of section 6(1)(c) that there were no reasonable precautions whereby the death and the accident resulting in the death might have been avoided. There is no criticism of the Scottish Prison Service or the National Health Service.
- (iv) In terms of section 6(1)(d), that there were no defects in the system of working which contributed to the death.
- (v) In terms of section 6(1)(e) that there were no facts which were relevant to the circumstances of the death.

Submissions

[6] The principal procurator fiscal depute lodged written submissions asking that the court make findings in terms of sections 6(1)(a) and 6(1)(b) and to make no findings in respect of sections 6(1)(c), (d) and (e). These submissions were adopted by the Scottish Prison Service and the National Health Service and I have followed the terms of the submissions in my findings.

Conclusions

[7] To summarise, Mr Murphy chose to take his own life on 20 December 2013 by hanging himself from a top bunk bed. There was no indication beforehand that he was going to do so. He was properly processed and examined on his entry to HM Prison, Barlinnie as a remanded prisoner on 28 November 2013 and there were no concerns of suicide or self-harm. He did not require to be managed under the ACT strategy. He successfully completed a detoxification from alcohol. When Mr Murphy was found in his cell at around 12.55 pm, appropriate emergency action and treatment was carried out involving prison officers, paramedics, nurses and a doctor. Mr Murphy was then transferred to Glasgow Royal Infirmary where further treatment was carried out and he was placed on a ventilator. He did not regain consciousness and life was pronounced extinct at 0230 hours the following morning, 21 December 2013. This is a tragedy which could not have been predicted or avoided.

[8] I wish to thank the three witnesses for their assistance with this Inquiry and to the principal procurator fiscal depute and the two solicitors for their valuable and professional contributions. I conclude by recording my condolences to the family of Mr Murphy and in particular, to his daughter, Mrs Scott and his brother who were present at the Inquiry.

LINDSAY WOOD

Sheriff of Glasgow and Strathkelvin

GLASGOW, 14th January 2015