

SHERIFFDOM OF TAYSIDE, CENTRAL AND FIFE AT DUNDEE

[2019] FAI 17

DUN-B154-19

DETERMINATION

BY

SHERIFF HUGHES

UNDER THE INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS ETC
(SCOTLAND) ACT 2016

into the death of

ALEXANDER TOUATI

Sadiq, Procurator Fiscal Depute
Shand, for Scottish Prison Service
Glen, for Tayside Health Board
Goodwin, for Scottish Prison Officers Association

Dundee, 16 May 2019

[1] At 10.03 the case was called, parties identified themselves and informed the court that in terms of the joint minute of agreement signed by all parties, parties did not have any further submissions. Each party invited the court to make formal findings in fact.

[2] At 10.07, a joint minute of agreement was lodged and read to the court by the Procurator Fiscal Depute.

[3] At 10.18 the Procurator Fiscal Depute declared that no further evidence would be led.

[4] At 10.19 the Sheriff, having considered the productions and documents lodged by the Procurator Fiscal and the joint minute agreement, in respect that the terms of the

joint minute of agreement was deemed suitable in this case, found that no other form of evidence was required to be placed before the court in order to allow formal determination to take place.

DETERMINATION

[5] The Sheriff, made determination in terms of Section 26 of the Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 and in particular:-

1. In terms of Section 26 (2)(a), found that the death took place at Ninewells Hospital, Dundee at 21.01 hours on 29 June 2018.
2. In terms of Section 26 (2)(c), held that the cause of death was:- 1a - Myocardial Infarction and 1B - Coronary Artery Atherosclerosis.
3. In terms of Section 26 (2)(e), found that no other precautions could have reasonably been taken to avoid the death in this particular case.
4. In terms of Section 26 (2)(G), found that there are no other factors in this case which are relevant to the circumstances of the death.

Sheriff Hughes