
Have a safe harvest!

Being a personal injury lawyer is never dull! I have learnt so much over the years about the work of a huge variety of people working in all sorts of different industries. Of late I seem to be learning more and more about farming. I was reflecting on this very recently as I was having a good look inside the mouth of a lamb and learning more than I previously had ever thought necessary about a sheep's teeth!

Over what is now becoming a long career, I have seen a considerable improvement in health and safety in the workplace, with a consequent and very welcome reduction in people being injured. It is sad to learn therefore, according to the latest HSE statistics <http://news.hse.gov.uk/2010/06/30/tragic-rise-in-agriculture-deaths/> that whilst the number of people fatally injured at work fell to a record low last year, the reverse has happened in agriculture. Tragically 38 workers died on farms last year, in an industry recognised by the HSE as "the most dangerous industry in Britain". This is a sizeable increase from the previous year when there were still as many as 25 deaths in agriculture, apparently a record low, hardly a statistic to be proud of.

It is astonishing to learn that whilst around 2000 injuries on average in agriculture each year are reported to HSE, many more go unreported. The HSE believe that only 40% of the most serious injuries are reported and there could be as many as 10,000 unreported injuries in agriculture. How dangerous the industry is can be seen from the fact that less than 1.5% of the working population is employed in agriculture yet between 15% and 20% of fatalities to workers each year. I wonder whether such statistics would be tolerated in any other industry.

Here in Wales with the advent of harvest season NFU Cymru is urging farmers to ensure machinery is properly maintained and to carry out operations safely <http://www.nfu-cymru.org.uk/News/How-to-have-a-safe-harvest/>

The majority of fatal accidents at work are caused by falls and recently I have been instructed by a client who was extraordinarily fortunate to have survived when he was tipped out of the basket of the mobile elevated platform he was working from, falling over 20' to the ground below. Lack of maintenance was the cause!

In another case I act for a client who fell 4 metres into a pit being excavated for horse manure because simple guarding precautions hadn't been taken. He was also very lucky to have survived. Another of my clients was injured when his ladder slipped as he was working on a farm building causing him to fall from a height and suffer life changing wrist and abdominal injuries. Injuries from work at height are sadly all too common in farming.

Our experience at Hugh James in cases with an agricultural connection are extremely varied, ranging from the dairy man crushed by the cow he was



separating for artificial insemination, to the 17 year old who whilst operating a chainsaw suffered a “kick-back” injury to his face through lack of training and supervision. For both men the consequences could have been considerably worse. A client injured as a result of contracting Weil’s disease and another who suffered an amputation injury whilst operating a harvesting machine have had their lives permanently changed as a result of their injuries.

The impact of any accident is hard to measure. The consequences in personal terms for an individual and his family can be devastating and permanent. There is often the personal effect upon the small family businesses and communities where the injury occurred. This is before you start to consider the financial effects <http://www.nfuonline.com/Our-work/Regulation-and-Inputs/Health-and-safety/The-costs-of-an-accident/> upon the farm including from lost time, replacement wages, investigation costs and increased insurance premiums. The cost of any accident especially at this time of year can be considerable.

As for the looking into the mouth of a sheep, I am discovering a lot about the effects of diseases such as Orf that can be contracted by contact with farm animals (zoonoses <http://www.hse.gov.uk/pubns/ais2.pdf>). Good hygiene is of course essential as I never cease to remind my own children!

As I head off for my holidays in the idyllic setting of rural Wales, I will take more note this year of all the hard work going on all around, usually unnoticed by a city dweller like me, now being far more aware that the countryside is rather a dangerous place to be!

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