
Farming Business Fined Â£72,500 After Fatal Cattle Incident

Description

On December 13, 2023, Messrs J M Nixon & Son, a farming business based in Northumberland, was found guilty and fined Â£72,500 for breaching the Health and Safety at Work Act 1974. The case revolved around a tragic incident that occurred on April 3, 2016, resulting in the death of a member of the public, Marian Clode.

The Incident

On April 3, 2016, Marian Clode, 61, was on a family walk along a public bridleway in Northumberland when she was attacked by a cow. The family had been staying at a cottage at Swinhoe Farm, Belford, owned by Messrs J M Nixon & Son. [The attack occurred as the business was moving around 16 cows and a similar number of calves along the bridleway, a popular route for visitors to St Cuthbert's Cave.](#)

Circumstances Leading to the Incident

- [Lack of Precautions:](#) Despite it being near the end of the Easter holidays, the business decided to move the cattle without effective precautions such as signage and lookouts.
- [Undulating Terrain:](#) The route along the bridlepath was undulating, meaning neither the farm workers nor the walkers were aware of each other until it was too late.
- [Family's Reaction:](#) Most of the family, including two young grandchildren, clambered over a barbed wire fence for cover. However, Marian Clode, who was at the head of the group, was confronted by a cow at the front of the herd and was butted several times, causing fatal injuries.

Investigation and Legal Proceedings

- [Health and Safety Executive \(HSE\) Investigation:](#) An investigation by the HSE found that the business had failed to ensure the safety of members of the public walking along the bridleway.
- [Court Proceedings:](#) At Newcastle Crown Court, J M Nixon & Son, Swinhoe Farm, Belford, Northumberland, pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc. Act 1971.
- [Sentencing:](#) The company was fined Â£72,500 and ordered to pay Â£34,700 in costs on December 13, 2021.

Family's Statement

In a statement, the family expressed their grief and frustration: "In the seconds we had to react, Marian, who was a little ahead, had the least time, but still managed to move to the side of the track and make herself as inconspicuous as possible, tucked against a wooden gate, beneath an overhanging tree. Despite this, Marian was attacked by the lead cow and suffered fatal injuries. [In the immediate aftermath of the incident and in the months and now years which have passed, we believed Marian lost her life because of JM Nixon and Son's failure to implement even the most](#)

[basic safe systems of work?](#)

Conclusion

The tragic incident highlights the importance of safety measures in agricultural practices, especially when public pathways are involved. The case serves as a reminder to all farming businesses to prioritize the safety of the public and implement effective precautions to prevent such incidents in the future. The fine imposed on Messrs J M Nixon & Son underscores the legal and financial repercussions of failing to adhere to health and safety regulations.

CATEGORY

1. Northumberland

POST TAG

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2. Agriculture Sector
3. Cattle
4. Fatality
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