

Contractor fined after worker left paralysed by falling tree

A contractor from Dorset has been fined after a tree fell onto a forestry worker and left him with life-changing injuries.

The 61-year-old man, who was 58 at the time, is now paralysed from the stomach down after the 21-metre ash tree landed on top of him at The Fonthill Estate in Salisbury, Wiltshire on 12 January 2022.

Gerald Hayward, who had been contracted as part of an ash dieback clearance programme, had been cutting the tree before it fell.

Mr Hayward, trading as G H Hayward Forestry Contractors, had been making a back cut to the tree when it fell in the wrong direction.

It then landed on the injured worker, who was standing in a nearby bridle path.



The tree fell onto the worker, who had been standing in a nearby bridle path

The worker, from Frome in Somerset, sustained eight broken ribs, a broken pelvis, two broken ankles, a collapsed lung and internal bleeding.

He was placed in an induced coma for two weeks and later spent four months in hospital.

An investigation by the Health and Safety Executive (HSE) found Mr Hayward, who was in charge of the tree felling, failed to implement a safe working zone around the tree as it was being felled. A safe working zone is usually twice the size of the tree, with only the felling operator permitted inside the zone. The tree fell in the unintended direction as the cut made by Mr Hayward did not leave a functioning hinge.

Gerald Hayward, of Blandford Forum, Dorset pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974. He was fined £1,000 and ordered to pay £1,000 in costs at Salisbury Magistrates' Court on 15 October 2024.

HSE inspector James Hole said: “This was a serious incident that has led to an individual sustaining life-changing injuries meaning he is now unable to work and requires lifelong care.

“Mr Hayward failed to create a safe working zone around the tree while it was being cut down – this is a standard working practice for tree felling in woodland.

“He failed to implement the correct control measures and a safe system of work. Had Mr Hayward done this then this incident would have been prevented and the individual would not be paralysed and facing the rest of his life without the use of his legs.”

This HSE prosecution was brought by HSE enforcement lawyer Gemma Zakrzewski and supported by HSE paralegal officer Gabrielle O’Sullivan.

Notes to editors:

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.
4. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).