

# Farmer fined after friends had to climb tree to escape cow attack

- Woman left with broken ribs and life-changing internal injuries

A woman and her friend had to climb up a tree to escape an attack by more than a dozen cows on a public right of way in North Yorkshire.

Janicke Tvedt and David Hood had set out on a popular circular walk from Masham with pet Labrador Goose, who was on his lead, on 25 July 2021. Part of their walk took them across the fields and public rights of way near Shaws Farm.

The farmer responsible has been prosecuted by the Health and Safety Executive (HSE) as a result. Advice and guidance for [farmers, landowners, and other livestock keepers](#) is available.



Janicke Tvedt had to be airlifted to hospital following the incident

After entering a field off Foxholme Lane, the pair noticed several cattle in a field the path cut across, including cows with calves, so decided to give them a wide berth, passing through a narrow opening in a hedge. However, as they did, they then spotted a lone cow with two calves, and within seconds their dog was attacked.

Although they all managed to get away, they were soon cornered by other cows and 57-year-old Ms Tvedt was knocked to the ground and trampled. She was helped up by her friend, but at a nearby tree they found themselves surrounded by around 15 cows and had to climb a tree to escape a further attack.

Ms Tvedt was airlifted to hospital suffering seven broken ribs, hoof marks on

her chest and legs, a broken thumb, and life changing severe internal injuries that required emergency surgery. She remains severely restricted in her mobility almost three years on, but is keen to share her experience to help raise awareness of the dangers posed by cattle in fields with public rights of way.

“I had the imprints of hoof marks, bruises, cuts and grazes all over my body,” she said.

“I was convinced that if I fell asleep, I would never wake up.

“I still have anxiety when on walks in the countryside and am always on alert for the presence of cattle.

“We live in a rural community and there are lots of footpaths around the fields in the area and I do not want other peoples lives to be at risk.

“I want to ensure the emphasis of my story is to improve awareness of the dangers of cows, particularly those in fields with footpaths.

“I am determined not to take on the mantle of being a victim as it’s disempowering.”



Janicke Tvedt sustained serious injuries after being attacked by cows on a walk in North Yorkshire

An investigation by the Health and Safety Executive (HSE) found that livestock were being kept in a field with a public right of way across it and insufficient measures were taken to protect members of the public from cattle and calves. A sign warning the public of the cattle had been destroyed and not replaced.

Cows are known to be protective of their calves and unpredictable. They can pose a risk to walkers, especially to those with dogs.

Key considerations for farmers and landowners include:

- where possible avoid putting cattle, especially cows with calves, in fields with public access.
- do all that they can to keep animals and people separated, including erecting fencing (permanent or temporary) e.g. electric fencing.
- Assess the temperament of any cattle before putting them into a field with public access.
- Any animal that has shown any sign of aggression must not be kept in a field with public access.
- Clearly sign post all public access routes across the farm. Display signage at all entrances to the field stating what is in the field (cows with calves / bulls).

Martin Falshaw of Falshaw Partners, Shaws Farm, Swinton, Ripon, North Yorkshire pleaded guilty to breaching Section 3 (2) of the Health & Safety at Work etc Act 1974. The company has been fined £770.50 and ordered to pay £4,539 in costs.

After the hearing, HSE principal inspector Howard Whittaker said: “The injuries sustained by Janicke have been devastating and completely changed her life.

“However, given the nature of the attack, the end result could have been far worse and resulted in two people losing their lives.

“Public knowledge – and concern – is increasing about how dangerous cattle can be. We completely echo the countryside code which urges walkers to beware of the dangers. On this occasion, the pair tried to stay well away.

“Cattle are extremely protective of their calves and even calm cattle can become aggressive if they think the calves may, in any way, be threatened, even by members of the public walking past.

“Where possible, farmers should avoid putting cattle, especially cows with calves, in fields where members of the public have a legal right to walk.

“Had Martin Falshaw followed this advice, or effectively segregated the cattle, this incident could have been prevented.”

This prosecution was brought by HSE enforcement lawyer Rebecca Schwartz and supported by paralegal officer Lucy Gallagher.

#### **Notes to Editors:**

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise.

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. Advice for farmers, landowners and other livestock keepers on dealing with [the risks posed by cows with calves](#) is available

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## **[Bedding manufacturer fined after employees suffer serious injuries](#)**

A bedding manufacturer has been fined more than £250,000 after two of its employees were seriously injured during separate incidents at its site in Rochdale.

The Health and Safety Executive (HSE) prosecuted Sartex Quilts and Textiles Limited following the incidents, which saw both workers undergo amputations.

HSE inspector Elena Pickford described the injuries sustained by the workers as “serious and avoidable”.

The first incident took place on 29 March 2020 and involved a 32-year-old employee from Burnley. On his first day working on the line, he was instructed to clean the measuring wheel on a cutting machine. He climbed onto the conveyer belt, however the cutting machine had not been properly isolated from all sources of power and the machine’s clamp came down, trapping the employee’s left hand and causing the circular saw to move.



The cutting machine the employee was operating at the

time of the incident

The saw was brought to a stop by another employee who pressed the emergency stop button. Unfortunately, this was not in time and resulted in the worker having three fingers amputated from his left hand.

The worker said in his victim personal statement: "Prior to this incident, I was a healthy, happy and active person. At the time I had one very young son, now I have two children. I try not to expose my left hand too much to my children when I am playing with them or when they are in my company. I do not talk about the incident with my children. When I am out and about in public, I try to keep my injured hand out of the public view."

On 22 October 2021, a second Sartex Quilts and Textiles employee was involved in an incident while operating a quilting machine. The 51-year-old, from Rochdale, had noticed a fallen casing and attempted to place it onto the back of the machine while it was being operated.

However, his gloves became tangled in the machine, causing his right hand to be dragged in. This caused lacerations and crush injuries to his right hand and resulted in the tips of two of his fingers to be amputated.



The quilting machine being used by the worker

HSE inspectors Leanne Ratcliffe and Elena Pickford investigated the incidents in 2020 and 2021 respectively and found Sartex Quilts and Textiles Limited did not guard the machinery and did not implement suitable and sufficient procedures to isolate machinery from power.

HSE guidance says machines should be properly switched off, isolated or locked off before taking any action to remove blockages, clean or make adjustments. Machines should also be fitted with fixed guards to enclose dangerous parts, whenever practical. The full guidance can be found here: [Equipment and machinery – HSE](#).

Sartex Quilts and Textiles Limited, of Castle Mill, Queensway, Rochdale, pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 and Regulation 11 of the Provision and Use of Work Equipment Regulations 1998. The company was fined £251,250 and ordered to pay £6,862.63 in costs at Manchester & Salford Magistrates' Court on 14 February 2024.

After the hearing, HSE inspector Elena Pickford said: “These injuries were serious and avoidable, the risk should have been identified.

“Employers should make sure they properly assess and ensure that access to dangerous parts of machinery are prevented. Had these machines been adequately guarded and a safe isolating procedure been in place, these incidents could have easily been prevented.”

This HSE prosecution was brought by HSE enforcement lawyer Samantha Crockett and supported by HSE paralegal officer Rebecca Forman.

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## **[National Apprenticeship Week 2024: Skills for Life](#)**

For National Apprenticeship Week this year, we are shining a light on the talented apprentices within the Health and Safety Executive and showing the positive impact they have, for both the individual and the organisation.

The theme for National Apprenticeship Week 2024 is “Skills for Life”; reflecting on how apprenticeships can help individuals develop the skills and knowledge required for a rewarding career. But also, how greater use of apprenticeships can help HSE to develop a talented workforce that is equipped with future-ready skills.

We interviewed two apprentices at very different stages of their careers. This is what they had to say...

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**Anne Strype, Health and Work Branch**



Anne Strype at her Level 6 apprenticeship graduation

My name is Anne Strype. I am a 47-year-old mum of 2 and I have worked as a Policy Advisor in HSE for 15 years.

I never dreamed I would be able to achieve a degree at my stage in life, so when the opportunity was suggested to me (by my line manager at the time) I jumped at the chance.

I did a Level 6 Chartered Management Degree Apprenticeship. This included modules such as Operational Strategy, Project Management, Communications, and Leadership. These areas are highly relevant to a policy role, and I was able to incorporate the skills I have learnt into my work very quickly.

I am not naturally academic, but I tackled it one module and one assignment at a time. I have to admit, it was extremely challenging trying to balance a high-paced policy role, my training with QA, and my family life.

However, as the course progressed, the skills I was learning through my apprenticeship helped me with this, and I have built confidence along the way. I also had great support from my apprenticeship skills coach who was always there for me through the highs and the lows with great advice and guidance.

I am pleased to say I graduated in October 2023 with the Awards Ceremony held at the Southbank Royal Festival Hall in London which was an AMAZING experience!

I am extremely proud of my achievement of a 2:1 in my Degree and Distinction in my Apprenticeship and so grateful for the opportunity that was offered to me by HSE. I highly recommend anyone considering an apprenticeship to go for it. You won't regret it.

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**Jake Rutherford, Operational Support**



Jake on his second day in the office

I'm Jake Rutherford, I am 18 years old and I started at HSE two days ago!

It's a bit surreal that I have started my apprenticeship during National Apprenticeship Week, but I'm hoping to get a lot out of this apprenticeship at HSE.

I left college last year and started working in a pub which I did enjoy however it wasn't regular work and it didn't provide me with a good work-life balance due to working late nights and weekends. I also couldn't see a career or longevity, I wanted something that would give me a career.

I spoke to a few family members as my Mum and two of my cousins work in the Civil Service and told me about the apprenticeships they offer. So, I looked on the Civil Service Jobs website and found this administrative support apprenticeship at HSE.

I didn't know much about health and safety but since starting it's mind-blowing how much HSE covers from the inspections and investigations to our science and research.

Everyone is very friendly and I haven't been thrown in the deep end, I've felt very supported by my team. I'm excited to get stuck into my role and working the investigations team on their reporting, it sounds so interesting!

As it's only day three, I'm not entirely sure what my career path within HSE or the Civil Service might be, but I'm excited to see where and what I'll be doing once I finish my apprenticeship.

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# Remembering the Morecambe Bay cockling disaster – 20 Years On

*HSE inspector Peter Lennon, a member of the investigation team that investigated the incident, has reflected on the Morecambe Bay cockling disaster in a blog*

On the evening of 5 February 2004 over 30 young men and women were trapped by rising tides in Morecambe Bay as they harvested cockles – 23 tragically lost their lives. Most of those who were at work were Chinese nationals. Many of them had little experience or knowledge of the sea.

Cockling on Morecambe Bay was a long-established industry undertaken by the local fishing community, who understood the dangers of the tides in the bay and had been taking precautions over time.

Up until then, more people had become involved in what had quickly developed as a lucrative business: not all understood the hazards or the precautions needed to work safely.

HSE immediately established a team from the then Field Operations Division (FOD) North West Agriculture Group to assist in the complex investigation, right from the beginning. The team worked together with Lancashire Constabulary, the local fishing community, the local authorities and the Gangmaster Licensing Authority to understand what had happened and what could be done to prevent anything like this happening again.

## **What happened next?**

Working with others, including HSE's Agriculture Sector, we produced guidance on how to work safely in the bay – and in similar estuaries and tidal areas – when harvesting produce such as cockles. We supported local authorities as they developed a regime for permits to regulate the activity, making sure everyone works as safely as possible.

The investigation also revealed how the workers had been exploited by gangmasters and our Vulnerable Workers' Team has continued to work with the Gangmaster Licensing Authority and others to deal with concerns about those who are being exploited and whose health and safety is being compromised.

## **Reflections**

On a personal note, after being involved in the investigation and following the case to its final conclusions in court, "Morecambe Bay" will always resonate as a preventable human tragedy in which young people lost their lives in a foreign country, far away from their loved ones.

There is a memorial to those who died, close to the RNLI station, in Morecambe. If you find yourself nearby, please take the time to visit it.

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## Farming company fined £320,000 after death of "much loved" family man

A company involved in fruit and vegetable production has been fined £320,000 after a man "who always put family first" was killed at a site in Burscough.

Francis Schlachter, known as Frank, suffered severe head injuries when he fell from a skip at a farm operated by M.A.Forshaw Limited on 3 January 2020. The 64-year-old from Southport was described as 'a rock' by his wife of 35 years Linda, who said how much he would be missed by his friends and family.

"I have lost my soul mate," Linda said.

"He was a gentleman through and through, who will live on in our hearts and memories forever.

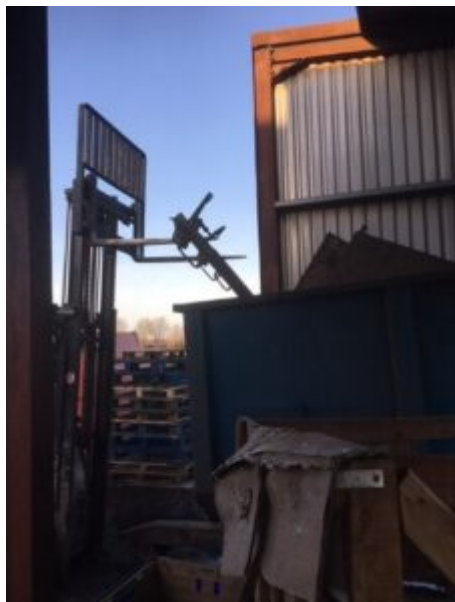
"It is the little things in life that you take for granted, which are greatly cherished now he's gone and they mean the absolute world.

"Frank was my rock. He was kind, dependable and always put his family first. Since his passing, I have had a fair share of trials and tribulations to encounter and these have been a great challenge without the support of a beloved husband.

"We have all suffered the loss and it will be embedded in our bones forever.

"No man should go to work and never return home after a day of hard work."

Frank had been working at the site off Marsh Moss Lane, tipping food waste into a skip from a container attached to a forklift truck (FLT). The container could not be securely attached to the FLT, which was known to detach from the vehicle during the procedure. As Frank attempted to manually assist in the operation, he was standing on top of the skip when the container slipped from the FLT causing him to fall to the ground, resulting in fatal head injuries.



Frank Schlachter fell from the top of the skip while working at the site in Burscough

Companies that use work equipment must manage the risks associated with its use. Detailed guidance on the [Provision and Use of Work Equipment Regulations 1998](#) is available. Guidance for those [using lifting equipment for work](#) is also available.

An investigation by the Health and Safety Executive (HSE) found that M.A.Forshaw Limited of Heatons Bridge Farm, Scarisbrick, West Lancashire, had not fully assessed the risks involved in this daily task. Had they done so, the dangers would have been identified. They also failed to maintain equipment in safe working order and to properly instruct staff in safe working practices.

The company pleaded guilty to breaching regulation 2(1) of the Health & Safety at Work Act 1974. They were fined £320,000 and were ordered to pay £4,574 costs at a hearing at Wirral Magistrates' Court on 1 February 2024.

HSE inspector Lianne Farrington said: "This wholly avoidable tragic incident led to the death of a much loved husband, dad and grandad.

"It was caused by the failure of the company to implement safe systems of work, properly maintain work equipment, and sufficiently assess the risks involved in routine work processes.

"If suitable work practices had been in place prior to the incident, Frank's death could have been prevented.

"At HSE, we always stress the need for employers to risk assess tasks by speaking to the employees who undertake the work, and to ensure that work equipment is safe and suitable to use."

This prosecution was brought by HSE enforcement lawyer Sam Tiger.

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