

Appendix E LETHAL SAFETY HAZARDS POSED BY CATTLE IN THE PARKS

The topic of safety is one that is avoided by the EBRPD for good reason. The data contained in this section illustrates that free-roaming cattle are potentially a lethal hazard to the public. When the author made a public records request in August 2001 for all human-cattle incidents in the parks, the District was only able to provide records starting in November 1999. The District claimed that no earlier records were available as they were discarded and deemed not legally necessary for the District to keep. This was not even 2 years of data from a park district that has been in operation for over 60 years.

It is clear from this inability and perhaps unwillingness to provide all such records, that the EBRPD intentionally suppresses information related to public safety incidents that involve people and cattle. This reluctance was further verified by a subsequent request to see if the author's personal reports of incidents with cattle could be found in the public records. Even though they were reported to the Public Safety department of the District, they were not found in subsequent records requested.

While District management may think that keeping these sorts of incidents quiet is the right thing to do so as not jeopardize the cattle grazing program and protect their political backsides, such intentional negligence will eventually lead to a major lawsuit. It is only a matter of time.

Within this report there are two incidents (see page 11-26) that occurred in the District parks. One of these was actually obtained from District records. The author also personally received a report from a park user that witnessed the head-butting of a small child who was playing in a park with her father. The individual who witnessed the incident was shocked at how far the child went flying through the air after being head-butted by a cow. While the father was able to rescue his daughter, this incident could have been tragic.

The British government's Health & Safety Executive (HSE) has studied cattle as a public safety hazard at considerable length over the last 10 years and continues to monitor and record incidents where the public have been killed or severely injured. The HSE is the equivalent of the US agency OSHA (Occupational Health and Safety Administration).

This appendix includes an HSE Information sheet summarizing **studies done from 1990-1995 which found that there were 14 major incidents of which 5 resulted in death of members of the general public.** All of the incidents involving death were of unsuspecting people on a leisurely walk with other persons or their pets. **Further monitoring (incident reports included in this appendix) shows that during the period 1997-2002 there were 2 more deaths and 4 more major incidents where the general public was severely injured.**

The EBRPD is well aware of this potential safety hazard and has made no effort whatsoever to protect the general public. This places the District at significant risk to be sued for negligence along with the rancher whose cattle are responsible for such attacks against innocent park users. While unfortunately it is the taxpayer that ultimately loses when such suits are brought against the EBRPD, the District General Manager, Board of Directors and high level managers responsible for the grazing program must also be held responsible.

REPORTED CATTLE INCIDENTS RESULTING IN DEATH OR SEVERE INJURY BY HSE (1997-2002)

The following public safety information was received from the United Kingdom Health & Safety Executive (HSE is the US equivalent of OSHA) on 5/29/2002

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ABBREVIATIONS USED IN THESE REPORTS:

MOP – MEMBER OF PUBLIC
DP – DEAD PERSON
IP or I/P – INJURED PERSON

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SEVERITY OF INCIDENT - DEATH

Event No SIC Status

CATTL/DAIRY FARM MEMBER OF PUBLIC

Date of Accident

31-May-1998

Fmu No Deficiency 1

Kind

ANIMAL FATALITY

Deficiency 2

PRECAUTIONS N/A C

Summary

G, age 67 **MOP suffered multiple injuries resulting in death** when walking 4 Sheltie dogs on foot-path through a field with 63 cattle. field is approx 25 acres & footpath runs down the left hand side & then along top fence line. 1 Limousin Bull 3 years old had a ring through his nose & been added to herd in field this year on 12/5/98, he had worked in the field the previous season. 30 cows, mixture of Hereford, Limousin, Simmental & Charolais crosses, 31 calves various breeds aged approximately 5 weeks to 5 months & 1 heifer. Some of the cows & calves been out for about 2 months & others been added slowly, last ones in about 3 weeks ago. Cattle are checked daily by C employee who lives on site, & stated footpath used on a regular basis 2-3 times/day in week & more at weekends. DP regularly walked dogs on farm & not always on footpaths stated Mr H. C stated he saw DP at about 16.30 on day of accident sitting on style with 4 dogs. He states spoke to her & that she asked him the best way to go across the field & he said that she should go right after going over the style and follow fence line as most of cattle were lying on the footpath down left hand side of field. He stated she said "I'll take my chance" but that he does not know what she meant by this. DP was then found at approximately 20.00 by other walkers. If DP tried to walk through cattle with her 4 dogs on leads then cattle may have thought she posed a risk to their young & thus 'attacked' her. Dogs were Shelties were originally bred as cattle dogs & generally would not fear cattle. When I visited cattle were settled. No obvious breach of Health and Safety legislation, should have been a sign warning as to the presence of a bull at each footpath entrance to the field and this matter has been raised with Mr H and he has also been given a copy of AIS No 17. NFA.

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SEVERITY OF INCIDENT - DEATH

Event No SIC Status

CATTLE/DAIRY FARM MEMBER OF PUBLIC

Date of Accident

14 July 1999

ANIMAL Deficiency 2

PRECAUTIONS N/A

Man and his wife out walking with dog on lead were crossing a field on PROW containing 3 cows and calves. All were Charolais, pure bred, aged 5 to 10 years. Cows lying at one end of field as they walked through field. They looked around and realized the cows were coming towards them and getting agitated. The man released the dog, a Retriever, which ran off. **A cow, possibly the eldest, hit the man in the chest knocking him to the ground. It then hit the woman to the ground. When the woman recovered the cows had run off and the man was dead.** No previous history of violence with the cattle on the farms, no other incidents to our knowledge. Statement taken from farmer on LP7. Widows police statement seen which identified the oldest cow with horns as the culprit. Advised farmer which cow appeared to be main culprit and not to allow it in fields with footpaths in future. Farmer also raised matter of use of signs to warn MOPs who may be tempted to take dogs into fields with suckler herds. I considered this a reasonable way of raising the awareness of MOPs with regard to cattle and calves in fields.

*An Assault On Biodiversity
In The Name Of Wildlands & Habitat Preservation*

Friends of Sycamore Valley

February 25, 2002

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SEVERITY OF INCIDENT – SEVERE INJURIES

Event No SIC Status

MIXED FARMING MEMBER OF PUBLIC

Date of Accident

01-Apr-1998

Fmu No Deficiency 1

ANIMAL MAJOR INJURY

Deficiency 2

PRECAUTIONS N/A C

Summary

IP not yet interviewed. Police called to scene at S approx 14.00 to attend woman in distress said to have been trampled by cattle. I/Ps husband had managed to talk to wife before sedation and got brief details although only i/p will be able to give exact version. i/p walking with dog on footpath across field at grid ref ... which is a distinctive bit of the footpath which cuts diagonally across a field. Examination of the site revealed extensive poaching of the grass sward in this area caused by hooves and recent in nature. A pair of sunglasses were retrieved alongwith an extendable dog rope with the collar still attached. The rope was extended to a distance of 2.5 metres. Both items belonged to i/p. Cattle involved comprised 6 suckler cows of various cross breeds said to age between 8 and 20 years. Also 4 calves of the above (steers) the youngest of which is 15 mths. Cattle handled daily as are housed nightly. Farmer is 77 years old and recently suffered stroke about to retire. I walked amongst the cattle and found them very placid. J (manager W school) informed that he had heard of another incident with these cattle were someone had been chased again with a dog. The matter had not been reported to the farmer or HSE. Mr Ls' dog appeared quite docile. Apparently RSPCA rescued dog so reluctant to let it off leash - might be contributing factor. Extent of IP injuries quite severe with all ribs broken and both sides of collar bone. Minor superficial headwound. Currently on critical list in ITU at H General.

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SEVERITY OF INCIDENT – SEVERE INJURIES

Event No SIC Status

MIXED FARMING MEMBER OF PUBLIC

Date of Accident

11-Jun-1998

Fmu No Deficiency 1

ANIMAL MAJOR INJURY

Deficiency 2

PRECAUTIONS N/A C

Summary

IP (f/28) accompanied by her mother was walking 3 dogs across 65 acres of fenced hill which contained 8 cross bred cows with young calves. Two cows attacked the two dogs being led on leads by IP who tried to protect the dogs. She was knocked to the ground and butted. Mother leading old dog by collar went to assist and was also knocked over (sustained bruising only). IP sustained rupture to liver and severe bruising - required emergency surgery. No right of way where IP and mother entered field. No previous aggression shown by any of the cows and area frequented by walkers from the nearby town.

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SEVERITY OF INCIDENT – SEVERE INJURIES

Event No SIC Status

MIXED FARMING MEMBER OF PUBLIC

Date of Accident

20-May-2000

Fmu No Deficiency 1

Kind

ANIMAL MAJOR INJURY

Deficiency 2

LIVESTOCK C

Summary

on 13 / 6/00 HSE recieved a telephone messageb from X (NCC) reporting an accident which occurred on 20 / 5 /00 involving a Mrs Y (MOP) who whilst walking her collie bitch with her husband along public right of way 7 on L farm* she way attacked by a " black cow".

On 20 June I visited Mrs Y at her home to investigate the accident and took her to the scene of the accident.

She first of all took me to a track running about 200 yards south of the L steading and she stopped at the first gate into a field whilst I went on down the track further to check the breed of the cattle .The field ran for about 400 yds but no cattle were found .She then suggested that the accident may have occurred in an adjacent field . I checked the field and found a mixed herd of about 40 Limousin cross , Simintal Cross and Friesian cows with 1 - 5 month calves at foot ,together with a Limousin bull.

Mrs Y made a written statement . She told me that as they were walking along tha path a black cow (Limousin cross Friesien?) knocked her over then Knocked her husband over on top of her then knelt down and butted her . Her husband drove the cow off and took her to H Hospital where it was found that she had sustained a fractured collar bone , suspected fractured ribs and bruised kidneys.

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On 22/6/00 I interviewed Mr A on L Farm who was not aware of the accident but filled in an F2508 from details I gave him. He confirmed that on the day of the accident the herd was grazing in the field Mrs Y had originally indicated. He could not give me any further details but informed me that he had a few months ago sold a cow that attacked him. He Made a written statement. We Discussed HSAW and I suggested path was electric fenced off .

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SEVERITY OF INCIDENT – SEVERE INJURIES

Event No SIC Status

CATTLE/DAIRY FARM MEMBER OF PUBLIC

Date of Accident

02-May-1998

Kind

ANIMAL MAJOR INJURY

Deficiency 2

FAIL CTRL RISK LIVESTOCK

Summary

IP, 68 year old MOP, walking friend's dog (a Border Collie) along public footpath when he was attacked by cattle in field. Suffered cracked ribs, severe bruising to hands, arms & back and gashes to ear & leg. Spent 12 days in intensive care due to collapsed lung brought on by breathing difficulties caused by broken ribs. Path runs along full length of 25 acre field. On day of incident field contained large suckler herd comprising 49 cows & 48 calves, a mixture of pedigree Charolais & Herefords plus Cahrolais, Hereford, Simmental & Limousin cross breeds and a Belgian Blue bull. Dog was off lead. Although IP claims dog stayed close to him & did not chase cattle, farmer's daughter states she saw a black & white dog rounding up cattle from where she was working 2-3 fields away. It appears cattle may have surrounded dog & IP gone in to rescue it as dog was back on lead by time help arrived. PN considered, prohibiting keeping of cattle in fields with public access. However, main activity on farm is keeping of suckler cattle & there are 6 public footpaths crossing 10 fields in total, so not considered reasonably practicable to remove cattle. Discussion held with farmer & NFU Group Secretary & copy of AIS17 provided. Possibility of fencing / re-routing of path discussed and also displaying of signs advising dogs to be kept on lead. Advice confirmed in letter.