

Fundraising event ended in tragedy

TRANSPORT

A warning message to sports and social clubs has been issued by a local authority in Hertfordshire after a child fell from a small tractor being used to give rides at a fundraising event.

Camelot Rugby Union Football Club, of Hemel Hempstead, was fined £20,000 after pleading guilty to a charge under s3(1) of HSWA 1974 for failing to ensure the safety of members of the public. It was ordered to pay a contribution of £5000 to the costs of Dacorum Borough Council, which brought the prosecution.

The case was the subject of a Crown Court hearing at Cheshunt Magistrates' Court on 28 April. The court heard that on 8 May 2005, an event including end-of-season awards and a fun day for junior members was held at the grounds of the club. One of the activities for children was a 'fun ride' around a field on the back of a John Deere



Gator – an all-terrain vehicle that is normally used to transport people around building sites or golf courses.

Despite prominent stickers warning that no-one should be carried in the rear of the vehicle, three children were riding in the back, where there were no seat restraints. An eight-year-old child fell out, sustaining serious head injuries that resulted in the child spending a number of days in a coma at Great Ormond Street Hospital, London, and several months in hospital.

Judge Kay said the tractor was a dangerous vehicle that should not have been used for such activities, as it is capable of speeds of up to 25 mph and was being used on rough ground.

The court was told that the vehicle was not owned by the club – it was lent as a favour for the day – and was being driven by a volunteer. However, the club had not read the guidance manual or heeded the stickers that warned that the vehicle was totally unsuitable for the purpose for which it was being used.

Investigating officer Iain Newcombe told SHP: "The message we want to get across is: please don't let this happen at your sports or social club. There is plenty of guidance out there and proper risk assessments must be done."

The Judge said the club had been "amateurish" in its approach to its responsibilities and indicated that the fine set needed to be large enough to act as a deterrent. He added that he wanted to "bring home to people who run organisations that such irresponsible attitudes cannot be tolerated".

The club said in mitigation that it had pleaded guilty promptly, had since taken steps to remedy the situation, and held a good safety record.

Rita McGinlay, environmental health manager at the council, commented: "Accident investigations can be very emotive, particularly where children are concerned. This was a challenging case to deal with."