

Brothers fined for failing to protect public from cattle

Two brothers have been sentenced for failing to protect members of the public from their cattle.

An investigation by the Health and Safety Executive (HSE) found Andrew and David Turnbull failed to offer and display signs of an alternative route to a public right of way in their field in the Coalsgarth Valley, North Yorkshire.

HSE prosecuted the pair following the death of former teacher David Clark, who was killed by a herd of cows while crossing the right of way on 21 September 2020.

The 59-year-old had been running with his two dogs when he was surrounded by a numbers of cows, and then struck to the ground.

Witnesses reported that one of the cows then turned back and ran towards Mr Clark, causing a fatal blow to his chest.

The father-of-three was pronounced dead at the scene by paramedics.

[HSE guidance suggests a number of reasonably practicable ways](#) that farmers, landowners and other livestock keepers should follow to control the hazards for walkers when keeping cattle in fields where the public have access.

These all start through properly assessing the risks posed by cattle to users of public footpaths and implementing suitable protective and preventative measures to minimise those risks so far as is reasonably practicable. Further guidance can be found [here](#).

Members of the public can find out about steps to safely enjoy the countryside and respect farming activities by following Government advice in [The Countryside Code – GOV.UK \(www.gov.uk\)](#).

Advice includes:

- Give livestock plenty of space. Their behaviour can be unpredictable, especially when they are with their young.
- Keep your dog under effective control to make sure it stays away from livestock. It is good practice wherever you are to keep your dog on a lead around livestock.
- Let your dog off the lead if you feel threatened by livestock. Releasing your dog will make it easier for you both to reach safety.

David and Andrew Turnbull, both of Low Gingerfield Farm, Richmond, North Yorkshire, both pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974.

At Teesside Crown Court on 3 March 2025:

- Andrew Turnbull, 57, was fined £1,589 and ordered to pay £1,500 in costs.
- David Turnbull, 61, was fined £1,390 and ordered to pay £1,500 in costs.

HSE inspector Elliot Archer said: “Andrew and David Turnbull failed to do all that was reasonably practicable to prevent members of the public being put at risk by their cattle. Farmers, landowners and other livestock keepers need to be aware of the risk their cattle pose to members of the public and take suitable protective and preventative measures to mitigate that risk.”

This prosecution was brought by HSE enforcement lawyer Iain Jordan and supported by HSE paralegal officer Rebecca Withell.

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 in England and Wales can be found [here](#) and for those in Scotland [here](#).