

Don't forget the obvious risks when doing a risk assessment

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It is critical that businesses consider the very obvious risks alongside all other risks in their workplaces, says WorkSafe.

Mr Burrows permitted two children to ride on the outside of a water tanker truck while wetting down a horse racing track. Despite seeing the children jumping off and onto the truck he failed to stop them from undertaking the activity.

On his second circuit he felt the truck drive over a bump, and looked back to see that one of the children had been run over by the rear wheels of the truck.

"This incident was completely foreseeable and it is so obvious that the business should have identified and managed it, but instead, a ten-year-old boy very nearly lost his life." said Brett Murray, WorkSafe General Manager Specialist Services and Operations.

"Mr Burrows didn't intend to cause any harm, but in failing to consider the very obvious risks associated with children riding on the outside of the watering truck resulted in the boy spending over a month in hospital."

"Avoiding this incident should have been 'common sense', but instead a she'll be right approach meant that the defendant took no account of the well-known hazards associated with riding on the outside of a vehicle," Mr Murray said.

Philip Burrows, who trades as Phillip Burrows Racing Stables, was today sentenced in the Christchurch District Court under section 36 of the Health and Safety at Work Act for failing in his duty of care to ensure no children, or any other persons, rode or jumped on or off the water truck while it was in use.

Notes:

The court ordered reparation of \$25,000 to be paid to the victim. The court did not impose a fine due to the financial situation of the PCBU.