

**SHERIFFDOM OF SOUTH STRATHCLYDE, DUMFRIES AND GALLOWAY AT KIRKCUDBRIGHT**

***DETERMINATION OF SHERIFF DEREK D  
LIVINGSTON***

**IN FATAL ACCIDENT INQUIRY**

**INTO THE DEATH OF GRAEME RIDDICK OF  
ROADSIDE, NEW ABBEY.**

The Sheriff, having considered all the evidence adduced and the submissions made thereon, determines in terms of Section 6 of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 ("The Act").

1. That in terms of Section 6(1)(a) of the Act Graeme Riddick of Roadside, New Abbey died on 23<sup>rd</sup> December 2009 at about 1pm at Cuil Farm, Castle Douglas.
2. That in terms of Section 6(1)(b) of the Act the cause of death was a crush injury to the chest probably caused by a heifer or heifers or a bull or a combination thereof with a bull being the most likely cause of death.
3. In terms of Section 6(1)(c) I find that a reasonable precaution which would have avoided the accident and the death would have been for Mr Riddick not to have entered the field where he died except on a tractor or other equipment providing him with protection against aggressive livestock. He did this contrary to instructions from the farm owners and his own experience.
4. In terms of Section 6(1)(d) there were no defects to the system of working which led to his death.

**NOTE:**

In this case I heard evidence from Lindsay McGowan, a paramedic, Dr John Amuesi, a pathologist and PC Kathleen Henderson of Dumfries and Galloway Police a scenes of crime officer all by way of Affidavit. I also heard oral evidence from James Brown Campbell a partner in Cuil Farm, Paul Somerville an employee there,

Julie McKie and Morag Drummond a police constable and a Sergeant respectively in Dumfries and Galloway Police and James Young a health and safety inspector from Glasgow.

I found all of the witnesses credible and reliable and commend them for their efforts to assist the enquiry. None of them were cross examined.

Factually speaking Mr Riddick was found dead in a field at Cuil Farm. He had entered on foot. His injuries were consistent with crushing caused by a bull or one or more heifers (there were over 30 in the field) having attacked him and these injuries had proved to be fatal. He had reason to be in the field as part of a feeding operation of the livestock but that operation is carried out on a tractor which is used to take the feeding trailer from the field after which time it is then filled with foodstuffs and the trailer is then returned to the field attached to the tractor. The trailer would be picked up by means of telescopic hook and is towed in and out of the field. However at the time of death the tractor was not in the field but some distance away at a barn within the farm premises. The tractors hook was found to be missing and never recovered.

In the circumstances I can only speculate as to why Mr Riddick went on foot into the field with the livestock. It was clear from the evidence that he had both been told by the farm and but was aware from his own farming experience of the dangers. It was suggested that he may have been looking for the missing tractor hook but that is simply speculation.

I was clear from the evidence the Cuil Farm is a well run business that pays a high degree of attention to its health and safety obligations.

Mr Riddick leaves family and I would like to convey the courts condolences to them on their tragic loss.

Finally my thanks in particular to Mrs Hunter the Procurator Fiscal Depute for her excellent preparation and presentation of this case.