



Media Release - SafeWork SA

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ORCHARD FIRM FINED OVER GUNSHOT WOUND TO WORKER

SafeWork SA is warning of the need to include the proper use of firearms in any farmwork safety system after a case before the SA Industrial Relations Court today.

Joyson Orchards Pty. Ltd. was convicted and fined \$16,000 after pleading guilty to breaching section 19(1) of the *Occupational Health Safety and Welfare Act 1986*, in failing to ensure the safety of an employee whilst at work.

The incident came to SafeWork SA's notice in February 2005, when a male employee somehow shot himself in the hand with a sawn-off .22 rifle, while attempting to frighten birds away from an apple orchard at Murbko, near Blanchetown.

The employee had been directed by a supervisor to ride out to the orchard on a quad bike and use the weapon. The court heard the rifle discharged as it was being removed from its holster, as the safety mechanism had not been engaged. The employee did not have a firearms licence.

It was agreed that the company had failed to:

- conduct an adequate hazard identification or risk assessment for the use of the quad bike and firearm to frighten birds
- develop and implement a safe system for preventing birds from eating fruit on the property
- provide information, instruction, training and supervision necessary to ensure the employee was safe from injury, in that it instructed the employee to use a firearm while riding a quad bike
- ensure the employee's supervisor was provided with adequate information, instruction and training in respect to safe systems for preventing birds eating fruit on the property.

"Firearms must be treated with respect at all times, especially when they are used in a workplace such as a farm," says SafeWork SA Executive Director, Michele Patterson.

"It is paramount that good safety systems are devised around the use of firearms given their deadly potential.

"The employee concerned is extremely lucky to have been able to return to work after being wounded, and we note that the employer no longer uses firearms on any of its properties."

For answers and advice on workplace health and safety and the relevant laws, SafeWork SA operates a telephone Help Centre on 1 300 365 255 or 8303 0400. To report serious accidents or incidents, in the workplace call 1 800 777 209

For further information contact Peter Adams, Chief Media Adviser,
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