

## **SERIOUS INJURIES FROM ERRANT SUGARCANE BURN-OFF LEAD TO \$35,000 FINE**

A Burdekin sugar cane harvester has been fined \$35,000 after a cane burning incident left a worker with serious burn injuries requiring multiple skin grafts.

The contract harvester this week pleaded guilty in the Ayr Magistrates Court to breaching s.32 of the *Work Health and Safety Act 2011*, having failed to meet his work health and safety duties.

The court heard that on 19 August 2017, a worker was seriously injured after a controlled burn at a sugar cane farm at Jarvisfield went wrong. At the time of the incident, the defendant was providing contract sugar cane harvesting services to the property owners.

About half of the remaining crop had been harvested without prior burning, leaving sugar cane trash on the ground (trash can be burnt or left on the ground to decompose). Most growing regions no longer burn cane before harvesting, but it is still a common practice in the Burdekin.

The Office of the Work Health and Safety Prosecutor told the court fires were lit among the standing cane and the trash field when the injured worker noticed the wind had changed and was concerned he was trapped. Attempting to run out of the burning paddock, he tripped and fell, receiving burns to the exposed skin on his face, hands and legs.

Fortunately, he was then able to make his way out of the burning trash onto grass on the edge of the paddock.

The court heard the lighting of the trash blanket when the injured worker was lighting the standing cane (and where he was located), created a risk of being trapped between the two fire fronts, which ultimately led to his injuries. The injured worker and the other two workers were not wearing any fire-retardant clothing, nor were any of the workers equipped with two-way radios or any other form of communication.

The injured worker required multiple skin grafts and further laser surgery on his thumbs to regain full movement and has suffered a psychological injury as a result of the incident.

The magistrate found the possible consequences of the two fires – the standing sugar cane fire and the trash blanket fire - were clearly death or serious injury. The probability of such a consequence was obvious and not remote, when methods to prevent or minimise the incident were readily available and included using two-way radios, protective clothing, and simple procedures to coordinate the two fires.

The defendant had been a sugar cane farmer for over 45 years and had not had a similar incident in that time. He was fined \$35,000 and ordered to pay court costs of \$1,596.15. No conviction was recorded.

More information on industrial prosecutions is at [worksafe.qld.gov.au](https://www.worksafe.qld.gov.au)

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Workplace Health and Safety