

JONES v NETHERHALL RIDING SCHOOL (2008)

Total Damages: £5,050
Trial/settlement date: 10/7/2008
Age at trial: 46

PSLA: £4,300 (£4,300.00 RPI)
Type of Award: Out of Court Settlement
Court: Out of Court Settlement
Age at injury: 43
Sex: Female

The claimant, a 46-year-old woman, received £5,050 for the injuries to her thigh sustained when she was bitten by a horse during a horse riding lesson in October 2005. She suffered from swelling and bruising but within one year had recovered by approximately 60 per cent.

Claimant: Female: 43 years old at date of accident; 46 years old at date of settlement.

Other: On October 17, 2005, the claimant (C) was attending a horse riding lesson at the defendant riding school (D). A horse which was known to be hostile attempted to attack the horse C was riding but instead bit C's leg.

C sustained injury and brought an action against D alleging that it was negligent under the Animals Act 1971 s.2(2).

Liability admitted. D accepted that the horse should have been removed from the riding area and stabled, as the owner knew that it could be hostile and aggressive towards other horses.

Injuries: C sustained a bite injury to her right thigh.

Effects: C suffered from a swollen and bruised thigh. For three months after the accident she experienced constant pain and regularly required analgesia. The swelling fluctuated and at five and six months after the accident had to be drained under ultrasound guidance. After undergoing the procedures the area remained swollen and was tender.

For six months C struggled to walk and limped. Eight months after the accident she underwent physiotherapy, which aided her recovery, and by approximately one year from the date of the accident she had recovered by about 60 per cent. She was not absent from work due to her injuries and was able to continue to drive.

At two-and-a-quarter years after the accident C continued to experience a dragging pain when walking long distances but her ongoing symptoms caused no functional restriction. However, C was left with a tender area of swelling measuring approximately 8cm by 6cm at the injury site.

Prognosis: C was due to undergo a further examination between three-and-a-quarter years and four-and-a-quarter years after the accident. It was expected that the pain and swelling would continue to improve between one and two years thereafter, but that if the swelling did continue it would not cause any functional restriction.

Out of Court Settlement: £5,050 total damages.

Background to damages: The case was settled on a global basis with no particular breakdown of damages. However, the following breakdown was estimated by the claimant's solicitors:

Breakdown of General Damages: Pain, suffering and loss of amenity: £4,300.

Breakdown of Special Damages: Past care and assistance and physiotherapy costs and cost of loss of holiday enjoyment: £750.

Ralli Solicitors (Manchester) for the claimant.

LTLPI 20/8/2008 (Unreported elsewhere)

This Quantum Report was provided courtesy of [Maria Penny](#) of [Ralli](#), solicitors for the claimant