

Services
Equestrian



Chartered Loss Adjusters and Claims Specialists



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Equestrian



Introduction

David Miles runs the Equestrian Liability Accounts, he has a long-standing reputation in this area of business and our Team of Adjusters have built up considerable experience in this field. David owns horses, still competes locally, and "Hunts" (within the Law).

Whilst David is foremost a Liability Loss Adjuster his experience and interest in horses has resulted in a significant proportion of David's fee income being derived from this specialist area.

It is an area where a knowledge and familiarity with horses/Riding Stables/Racing Yards etc. is essential.

Types of Claims

Currently we are operating several Schemes, some on a "cradle to grave" basis, to include:-

- Riding Schools and Livery Yards
- Training Yard
- Stud Yard
- Racing Yards
- Membership Liability – to include British Horse Society/British Dressage/BSJA/Endurance GB and Countryside Alliance
- Hunting Office

We have had involvement with claims from Horse Transport Companies and arising out of the ownership of Bloodstock/care Custody and Control claims.

Riding School and Trekking Centre claims in particular present their own problems and challenges. Core Claims is at the forefront of developing and discussing Risk Management initiatives with School and Yard owners. It is essential and necessary that documentation is in place to show that adequate assessments are made of the capabilities of the riders and the suitability of the horses, and that staff are adequately trained.

Documentation

Rider Registration Cards should be completed and there should be adequate Risk Assessments in place to include Horse "Logs" and Staff Assessment Files. It is essential that all documentation is collated for disclosure purposes, not least:

- Accident Book Entry
- RIDDOR Report
- Risk Assessments
- Staff Profiles/Training Records
- Health & Safety Policy Statement
- Client Registration Cards
- Booking-in Diary
- Specific Risk Assessments for Clients/horses
- Briefing instructions for new clients
- Character reference for horse
- Post-incident Risk Assessments for Clients/horses
- Licence issued by Local Authority

Certainly in our view, the majority of cases are capable of being successfully defended, although a good deal of documentation, evidence and accurate statement taking is required.

(cont.)

For further details, please contact:

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Legal Understanding

We have a good understanding of the Law surrounding the potential strict liability that may attach to the owner or keeper under Section 2.2 of the Animals Act 1971. Life of Defendants has not been easy following the Houses of Lords decision of *Mirvahedy-v-Henley* but there are a number of defences, not least the defence of voluntary acceptance of the risk under Section 5.2 of the Act.

The recent case of *Marian Freeman-v-Higher Park Farm* 2008 was one of our cases, which was successfully Appealed on these grounds. It is perhaps easily forgotten that riding is a risk sport and one might well get injured if one falls off!

It is essential that early enquiries are made, as witnesses and Instructors have a habit of moving on. Prompt inspection and assessment of the horse/pony involved in the accident is recommended.

How we charge

Charges are bespoke to our clients. For further enquiries please contact : David Miles, Managing Director, Core Claims Management.



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