

LEGAL

RAMBLERS BEWARE!

What to do if your field has public access



CHARGE!

All horses are unpredictable and can be driven by herd behaviour

Q I own a four-acre field that has a footpath running through it.

Am I responsible for the safety of any walkers who walk through the field, which is grazed by my two, often boisterous, yearlings - or is it a case of walker-beware?

A *Hanna Burton says* Generally, you're under a duty to take reasonable

precautions for the safety of walkers on your land. It's not an unusual characteristic for a yearling to be boisterous and, were a walker

injured, an equine expert is most likely to conclude that the horse acted out of inquisitiveness rather than aggression. As such, a claimant would have to prove that you as the owner had knowledge that the yearling was likely to be dangerous or attack. The yearling's behaviour is likely to be interpreted as playful as opposed to vicious and any injury arising would

be unintentional - meaning you're unlikely to be liable in negligence. That said, you are aware your horses are boisterous, and I could see a claimant trying to pursue a claim based on your prior knowledge. I suggest fencing is put in place so you're 100% secure legally.

You are under a duty to take reasonable precautions for the safety of walkers on your land

DID YOU KNOW?
 Become a Gold member of the British Horse Society and you'll get public liability cover with an indemnity limit of £10,000,000 as one of the benefits. Visit www.bhs.org.uk for more information



TREAD CAREFULLY
 Walkers could make a claim against you if they get hurt on your land