

[ADVERTISE](#)[NEWSLETTER SIGN-UP](#)[CONTACT](#)[HOME](#)[LEGAL TOPICS](#)[PRESS OFFICE](#)[EVENTS](#)[STUDENT ZONE](#)[CAREERS](#)[ABOUT](#)

[Home](#) » [Latest](#) » [Personal Injury Law](#) » Possible legal consequences of wild animals roaming around the streets

Possible legal consequences of wild animals roaming around the streets

Possible legal consequences of wild animals roaming around the streets

Adams & Adams

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok

[Southern Hemisphere, And A...](#) **MORE**By **MTHO MAPHUMULO****Topics** Personal Injury Law**03 Feb 2023**

Within the first month of the new year, there have been two tigers reported to have escaped from captivity and found to be roaming around freely on the streets. The first one was found and euthanised. By the time it was located, it had already seriously injured at least one resident. There have been no reported incidents in respect of the currently untraced tiger. In the later part of 2022, there were reports of lions having escaped from one game reserve in KwaZulu-Natal which were later reported to have been caught and killed by the community. Not so long ago there were reports of an elephant that had escaped from one nature reserve that was also killed by the community. These animals put the lives and well-being of residents under serious threat. It is against this background that it is necessary to delve into the legal ramifications that may flow from incidents of injury or death relating to such animals.

For there to be a cause of action in law, there must be injury or death. It is also crucial to establish who the owner or person responsible for the animal is. There does not need to be absolute proof as to who the owner is – sufficient circumstantial evidence may suffice (depending on the unique dynamics of the matter). For an example, in a case where there is a nearby game reserve that has had its fence destroyed, and suddenly there are wild animals seen on the streets. On the balance of probabilities, in the given scenario, the animals belong to the owners of the game reserve.

Claims arising out of wild animal attacks are based on the legal principles of *actio de feris* in terms of which the bringing of dangerous or wild animals on or into a public place, or a place, which members of the public have access to, is prohibited. Strict liability is applicable, i.e. the claimant/victim does not need to prove negligence on the part of the owner. As to what a victim can claim in damages, each case will be different. In a case of an injury (not death), one can potentially claim for past medical expenses, future medical expenses, general damages, past loss of earnings and future loss of earnings. It is important to point out that it is not in every case that these

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok

deceased, to whom the deceased owed a legal duty to maintain, will be able to claim for loss of support. If the deceased is a minor or someone whom no one depended on for support, the family members or appropriate individuals may be able to claim for emotional and psychological trauma where circumstances permit. Once again, the unique facts of each case will determine the outcome.

In closing, where an escaped wild animal has injured or killed, the victim(s) should seek legal advice in order to determine whether they have any legal recourse. Not only can this serve as part of a healing process and ensuring justice prevails, it may also encourage owners of these animals to be more vigilant and erect necessary equipment to guard against animals escaping.

Article sourced from [Adams & Adams](#).

See also:

- [Compensation for dog bite claims in South Africa](#)
- [Wrongful death](#)
- [Who is liable for a dog bite injury?](#)
- [Three types of liability in personal injury cases](#)

(This article is provided for informational purposes only and not for the purpose of providing legal advice. For more information on the topic, please contact the author/s or the relevant provider.)

[Mtho Maphumulo](#)

Mtho Maphumulo graduated at UKZN with several distinctions, academic awards and Dean's Commendation. During this period, he served active leadership roles in many students' organisations including the Black Lawyers Association... [Read more about](#)

[Mtho Maphumulo](#)

[Click here to send a legal query to Mtho Maphumulo](#)



ACTIO DE PAUPERIE

CLAIM

COMPENSATION

COURT

DAMAGES

DEATH

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok

LIABILITY

LOSS OF INCOME

MEDICAL EXPENSE

NEGLIGENCE

PAIN AND SUFFERING

PERSONAL INJURY

PLAINTIFF

Share



Personal Injury Law articles by **Adams & Adams**

A reflection of loss of support between siblings in the context of a Road Accident Fund claim

Festive accidents and RAF claims: Not every road accident loss can be recovered from the RAF

Legal duty of care owed by taverns to customers

Delictual liability for sports injuries and fatalities

Personal Injury Law articles on GoLegal

The Implementation of the Administrative Adjudication of Road Traffic Offences Act (AARTO) and the National Road Traffic Amendment Bill

Law firm finance 101 – Medical negligence starter guide

The perfect storm for RAF defendant attorneys

Personal injury firm growth: Solving for a chicken and egg scenario

PROVIDED BY:



We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok



BY



Mtho Maphumulo

Mtho Maphumulo graduated at UKZN with several distinctions, academic awards and Dean’s Commendation. During this period, he served active leadership roles in many students’ organisations including...

SEND A LEGAL QUERY TO MTHO MAPHUMULO

EXPERTS IN PERSONAL INJURY LAW

Adams & Adams

ATTORNEYS-AT-LAW

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok

Eversheds Sutherland*2 Relevant articles***Gildenhuys Malatji Incorporated***3 Relevant articles***Legal&Tax***2 Relevant articles***LexisNexis***2 Relevant articles***Sabinet***2 Relevant articles***SchoemanLaw Inc***1 Relevant articles*

The advertisement features a background image of a person in a business suit using a laptop, with a city skyline and a line graph overlaid. The text is as follows:

**Sabinet Financial
Regulatory Instruments**

STREAMLINED ACCESS AS ISSUED BY THE
SOUTH AFRICAN RESERVE BANK AND THE
FINANCIAL SECTOR CONDUCT AUTHORITY.

TELL ME MORE!

Sabinet
Facilitating *access* to information

Want the latest legal news and views in your box?

Your email address

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok



ABOUT US

GoLegal is a leading industry news and information portal for the South African legal sector, catering to attorneys, corporate counsel, legal scholars, policy makers and other corporate and legal interest groups.

[READ MORE >](#)

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok

[Privacy Policy](#)

FOLLOW US



SIGN UP FOR OUR NEWSLETTER

Want the latest legal news and views in your box?

Your email address

SUBSCRIBE

2019 GOLEGAL ALL RIGHTS RESERVED | WEBSITE POWERED BY CLOUDFUSION

We use cookies to ensure that we give you the best experience on our website. If you continue to use this site we will assume that you are happy with it.

Ok