

HOLLANDS v RAGGIO

Supreme Court

Spry, C.J.

23 November 1977

Damages — interest on general damages.

Interest prior to judgment is not awarded on general damages.

Cases referred to in the judgment.

Jefford v Gee, [1970] 1 All E.R. 1202.

Cookson v Knowles, [1977] 2 All E.R. 820.

Action

This was an action for damages in negligence arising out of a traffic accident. It is reported only as to the question whether interest prior to judgment should be awarded on general damages.

E. Ellul for the plaintiff.

R. Vasquez for the defendant.

2 December 1977: Judgment, of which the following is an extract, was read—

Mr. Ellul also asked for interest on the general damages on the basis of the decision in *Jefford v Gee*¹. That decision was never binding authority in Gibraltar, because it arose out of s. 22 of the Administration of Justice Act 1969, which made the giving of interest, within certain principles, obligatory. There is no such provision in the law of Gibraltar. In any case, the Court of Appeal in England has now, in the light of inflation, departed from the guidelines laid down in *Jefford v Gee* — see *Cookson v Knowles*². The general damages take the form of a lump sum based on values at the date of the trial; interest on that amount prior to judgment would not be appropriate. There will be no order for interest on the general damages.