

Duty of Care to Patrons in Public House

Mary Byrne, OBL Solicitors



OBL Solicitors successfully defended the respondent on behalf of Indemnifiers in the case entitled: Edward Flanagan -v- Giltan Enterprises Limited t/a The Boomerang Bar Record Number: 2018/121.

This case came on for Hearing on the 14th of May 2019 before Mr Justice Patrick Quinn SC.

An intoxicated patron at the Policyholders premises was refused alcohol by junior and senior bar men. This individual was not removed from the premises immediately and caused a fight in which the Plaintiff was allegedly caused injury. CCTV footage was shown before the Court of the fracas that ensued. Mr Justice Patrick Quinn SC found that the Plaintiff had not established a case in negligence against the respondent and dismissed the action in full. Mr Justice Patrick Quinn SC noted that he would not criticise any staff members and whilst there may have been other options open to them to remove the intoxicated individual from the premises in a more timely manner, the Plaintiff has not established a case of negligence. This was reflected in the rigorous cross examination of the Plaintiff and four witnesses on his behalf. OBL Solicitors remain committed to fighting and tackling cases that are unsustainable and seeking appropriate Orders.
