

# Legal Matters



## Holiday parties and social host liability

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**Q** How responsible should party hosts be for guests who consume alcohol?

**A** While it's not clearly defined by law, hosts should always keep their guests' safety in mind. They should also take basic precautions to protect themselves just in case a guest fails to use their common sense and drives while intoxicated.

**Q** Does a party host face any liability if a guest leaves a party and chooses to drive impaired?

**A** There has never been a case where a party host has been found responsible for injuries caused to one of their guests or to a third party. But a case that went before the Supreme Court of Canada left the door wide open. *Childs vs. Desormeaux* involved someone who caused an accident after being at a BYOB party. While the party hosts were found not liable (they had no reason to believe the guest was impaired when he left), the court noted the situation may be different if a host provides alcohol with knowledge that the guest would be driving home.

**Q** What precautions should a party host take?

**A** If you are hosting a party and serving alcohol, keep the following in mind:

- If there is no designated driver, have everyone agree that anyone who is drinking will take a cab home;
- Offer to have intoxicated guests spend the night;
- Serve non-alcoholic beverages, too.

While personal injury lawyers at PIA Law are concerned with legal liability, there is a moral obligation to protect everyone, too. For more information, please visit [pialaw.ca/social\\_host](http://pialaw.ca/social_host).

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