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### Personal Injury

## Fun and games until someone gets hurt: tips to reduce host liability



As the season of pool parties and backyard barbecues unfolds, hosts should take steps to enhance guest safety and minimize liability, says Windsor personal injury lawyer [Gino Paciocco](#).

People may not realize the level of responsibility they take on for their guests when hosting a party, particularly when alcohol is served, says Paciocco, a partner with [Paciocco & Mellow](#).

"If you host a party, you have a duty of care to third parties who are injured by an intoxicated guest at your party," he tells [AdvocateDaily.com](#).

Social host liability becomes relevant if a party guest becomes intoxicated, leaves the party and hurts or kills someone in an accident.

"That third party can sue you for providing alcohol and for having the party," Paciocco says.

"You have responsibility to make sure you're not over-serving. There are certain things you should do to ensure to minimize that risk."

For example, hosts should serve food if they're also serving alcohol. They should monitor guests to ensure they aren't drinking to the point of intoxication, provide taxis or rides home and offer non-alcoholic beverages.

If people younger than 19 are at the party, the host should also make sure they don't have access to alcohol.

Another aspect to keep in mind is the safety of the property, Paciocco says.

"The *Occupiers' Liability Act* states you must keep your property in a state of repair and make it safe so that people don't get hurt," he says.

That means ensuring concrete, grass and trees are in good repair, along with any decks, pools or outdoor furniture, he says.

The party host is also obligated to ensure any underage guests are properly supervised, Paciocco says.

"If you're going to have young kids at the party, you have an obligation of supervising them. You're basically stepping into the shoes of their parents."



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As reported by the [Windsor Star](#), Paciocco is representing a young man who was injured after a beer bottle was thrown at a prom party and struck him, causing serious harm to his eye.

The case is an example of why proper supervision and lighting are important, as well as monitoring alcohol consumption.

If someone is acting out of control, the host should either ask them to leave or call the police. It's the responsibility of the host to take action, Paciocco says.

"It's fine to have a party and to have fun, but you've got to make sure you're responsible and minimize your risk," he says.

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