



# Can you make a public liability claim if you're at fault?

Last night, Andersons' Partner [Sarah Vinall](#) was interviewed by 7 News journalist Tom Johnson regarding a dangerous stunt performed by a young man in Rundle Mall and live streamed on social media. [You can watch the segment here.](#)

Performing reckless stunts in public places raises a couple of interesting legal questions.

The first is, what happens if the person performing the stunt is injured and can they seek compensation for their injuries?

The second is, what happens if the person performing the stunt damages property that is not owned by them?

When you're injured in a public place or on someone else's property, this gives rise to a potential [public liability claim](#).

In order to be successful with a public liability claim, it's not enough to show that you are injured. You also need to prove that the owner or occupier of the property where

you were injured was negligent and this negligence caused your injury.

[In the video in question](#), the person has performed an act which is obviously dangerous and carries a risk of injury. If they had fallen and injured themselves, they are likely to be found largely or wholly responsible for their injuries. They would either not be entitled to compensation at all, or at the very least, any compensation would be significantly reduced to reflect their contributory negligence.

However, it is possible they would be able to make a claim against their income protection insurance or a total and permanent disablement policy, if they held one. If the person performing the stunt had damaged someone else's property, they could be responsible to pay compensation for their damage.

Clearly the potential consequences of this person's actions were not considered at the time and could have resulted in not only serious injuries but also a deep hole in their pocket.

With [public liability claims](#), it is always best to speak to a lawyer who can advise you on your personal circumstances. Andersons has a team of experienced [Public Liability Lawyers](#) who can guide you through the process. [Contact Andersons Solicitors here.](#)