

Poppy Watson's client hits a hole in one

3PB's commercial and chancery barrister Poppy Watson ([pictured here](#)) recently acted for a golf club defending a claim by a Claimant who smashed his own golf club whilst using the club's driving range.

The Claimant said the driving range mat and tee were in the wrong place and that led to him hitting a stanchion on his backswing. He brought proceedings on the basis that the Defendant should have advised golfers that the mats from which golfers tee off were moveable and to ensure they are in the correct position.

The Judge stated that in her twenty years of doing her job, it was the first case of this nature she had come across. The Judge found that the mats were designed to be moved, can be moved and golfers do indeed move them. In terms of a duty of care, the Judge found that it would be stretching too far for the Defendant to ensure golfers do not move the mats or to have a regular inspection of this.

The Judge found that the Defendant golf club had no duty of care as to where the mat should be in a driving range bay and the Defendant therefore cannot have breached any duty. Even if the Judge was wrong on those findings and there was a duty of care and breach, the Judge stated that she would have found the Claimant 100% contributorily negligent.

The key point is that whilst the Claimant had argued that it was not necessary to look behind before taking a shot, the Judge found that it is incumbent on people that use a driving range or a golf course to check that it is safe for them to proceed.

Poppy was instructed by Kabir Sidhu of DAC Beachcroft.

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