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Case Analysis: Donoghue v Stevenson

Ruchika Mohapatra · 28 May 2025

Introduction

Donoghue v Stevenson is a landmark case in tort law that established a more developed concept of negligence and the duty of care. It was decided by the House of Lords in 1932 and is regarded as a fundamental case in common law jurisdictions.

Facts of the Case

On August 26, 1928, Mrs. Donoghue, the plaintiff, was in a café in Scotland. A friend bought her a bottle of ginger ale manufactured by the defendant, David Stevenson. The bottle was opaque, and its contents were not visible.

After drinking some of the ginger ale, Donoghue discovered a decomposed snail in the bottle. She suffered from shock and gastroenteritis as a result. Since she had not purchased the bottle herself, she could not sue under contract law.

Instead, she brought an action in tort, arguing that the manufacturer owed her a duty of care.

Legal Issues in Donoghue v Stevenson

1. The central issue in this case was whether the manufacturer owed a duty of care to the ultimate consumer despite the absence of a direct contractual relationship.
2. Whether the presence of a decomposed snail in the bottle constituted negligence on the part of the manufacturer.
3. Whether a manufacturer has a responsibility to ensure that its products do not cause harm to consumers.
4. The case explored the extent to which one party must take reasonable care to avoid acts or omissions that could foreseeably cause harm to another party.

Judgement

The House of Lords, by a majority of 3-2, ruled in favor of Donoghue. Lord Atkin delivered the leading judgment, introducing the **neighbor principle**, which became a cornerstone of negligence law.

He stated: “You must take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbor.”

This principle established that a duty of care exists when:

- There is a foreseeable risk of harm.
- There is proximity between the parties.
- It is just and reasonable to impose such a duty.

The court held that manufacturers owe a duty of care to consumers to ensure that their products are free from defects that could cause harm.

Legal Concepts Established

1. Duty of Care: Duty of Care is primarily the legal obligation imposed on individuals or entities to exercise reasonable care in their actions to prevent harm to others. Failure to fulfill this duty may result in liability for negligence. This case set a precedent that manufacturers owe a duty of care to end consumers, even in the absence of a contractual relationship.A breach of duty of care occurs when the defendant fails to meet the required standard of care. Courts assess this using the reasonable person test, comparing the defendant’s conduct with that of a reasonable individual in similar circumstances.
2. Negligence: Negligence is defined as the breach of a legal duty to take reasonable care, which results in damage or injury to another person. It is based on the principle that every person must take reasonable precautions to prevent harm to others.? Donoghue v Stevenson laid the foundation for the modern law of negligence and was instrumental in the development of the three-stage test for duty of care in later cases like Caparo Industries v. Dickman.
3. Neighbor Principle: The Neighbour Principle was established in the landmark case of Donoghue v Stevenson by Lord Atkin. The principle forms the basis of the modern duty of care and defines the extent of responsibility an individual or entity has towards others in preventing harm.The principle establishes that a person owes a duty of care to their “neighbours,” who are defined as individuals who may be directly affected by their actions or omissions. A duty of

care arises when harm to another person is reasonably foreseeable. There must be a sufficient relationship of proximity between the person who caused the harm and the victim.

4. Consumer Protection: The case underscored the need for manufacturers to ensure product safety. Manufacturers and service providers owe a duty to consumers to provide safe products and services. A failure to meet the expected standard of care (e.g., selling expired food or providing faulty electronic devices) can give rise to liability on the part of the manufacturer or service provider.

Conclusion

Donoghue v Stevenson laid the foundation for the law of negligence and was instrumental in the development of the three-stage test for duty of care in later cases like Caparo Industries plc v Dickman. The ruling extended liability beyond contractual relationships, paving the way for a broader interpretation of duty. It emphasized the responsibility of manufacturers to ensure the safety of their products, promoting consumer welfare and accountability.

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