

Callan O'Neill successful in the NSW Court of Appeal

On 16 July 2024, the New South Wales Court of Appeal delivered its judgment in the matter of Langdon v Carnival PLC, Trading as P&O Cruises Australia. The case concerned an appeal brought by Mr Langdon (the plaintiff) against a decision of the Supreme Court in a claim for negligence for injuries suffered on the Pacific Aria, a cruise ship operated by P&O Cruises Australia (the defendant).

The Primary Judge (Harrison AsJ) was not satisfied that the injuries and disabilities complained of by the plaintiff were caused by the incident and found the plaintiff failed to establish causation. The Court of Appeal dismissed the appeal with costs. The Court of Appeal also upheld a cross appeal seeking an order for indemnity costs consequent upon the plaintiff's refusal to accept a valid offer of compromise made under the UCPR.

Callan O'Neill acted on behalf of Carnival PLC Trading as P&O Cruises who was successful in both courts.

The first instance decision can be found [here](#).

The appeal decision can be found [here](#).