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EVIDENCE

CHRISTINE FLANAGAN V BRITVIC (NI) PLC, JOHNNY IRVINE AND MITSUI SUMITOMO INSURANCE

Appeal against refusal to permit the plaintiff to
give her evidence by affidavit or video link, rather
than in person, upon the substantive hearing of
her claim for damages against the defendant.

- claim for damages arising out of a road traffic
accident. - plaintiff now resident in Australia and
claims she is unable to return to Northern Ireland
due to work commitments for 2 years. - witness
evidence in the County Court normally given on
oath in adversarial proceedings. - discretion of the
judge in the interests of justice and fairness to all
parties and the avoidance of delay. - HELD that
the plaintiff's action succeeds and evidence will
be received by video link conference subject to
conditions laid down by the judge

HIGH COURT

28 JUNE 2013

MCCLOSKEY J
