

Bourhill v Young [1943] AC 92

<http://lawcasesummarries.com/knowledge-base/bourhill-v-young-1943-ac-92/>

Facts

- Young was riding his motorcycle and was hit by a car and died
- Bourhill was on a tram at the time and heard the incident, and later saw the blood on the road
- She later suffered a stillbirth and blamed the nervous shock

Issue

- Could she claim for the nervous shock suffered?

Held

- No, because she was just a bystander and never in actual risk of harm
- It was too remote and not foreseeable

Quote

“I am unable to see how he could reasonably anticipate that, if he came into collision with a vehicle coming across the tramcar into Glenlockhart Road, the resultant noise would cause physical injury by shock to a person standing behind the tramcar.”

Law case summary from www.lawcasesummarries.com