

Patrick and Michael Maughan v Sheelagh McCague T/A Viva Bar

Judgement from the County Court in respect of race discrimination proceedings dated 21 January 2015.

Summary

The Plaintiffs were brothers and Irish Travellers.

They alleged that on the early part of the afternoon on the 10 March 2013 they attended the Defendant's bar on English Street in Armagh. They alleged that when they attempted to place an order for a drink that they were refused service. The barman on duty informed them that he could not serve them as he had been told by management that Irish Travellers were not to be served.

The background to the refusal was that there had been an incident on the previous night when a male member of the Travelling community described as being in his forties was allegedly involved in a heated exchange with other bar patrons and was insisting on credit from bar staff. The Plaintiffs alleged that notwithstanding the fact that they had been in the bar the previous evening, that they were not with this individual and knew nothing about the incident. They alleged that the 9 and 10 of March had been the only occasions when they had been in the bar.

Annoyed and concerned that they were being refused service the Plaintiffs asked the barman to put his reasons for the refusal of service in writing, which he did. The statement which was handed to the Plaintiffs gave the date and time and the name of the bar and barman, and records that he was told by management not to serve Traveller families. It is then signed by the barman. The Plaintiffs and friends then left the bar peacefully.

Judgement was decreed in favour of the Plaintiffs, the Defendant not having entered a defence. However, the Defendant agreed to pay £750 to each of the Plaintiffs to obviate the need for damages to be assessed by the Judge.