

TABLE OF CONTENTS

<i>Foreword</i>	vii
<i>Preface to the First Edition</i>	ix
<i>Preface to the Second Edition</i>	xiii
<i>Preface to the Third Edition</i>	xv
<i>Preface to the Fourth Edition</i>	xvii
<i>Preface to the Fifth Edition</i>	xix
<i>Preface to the Sixth Edition</i>	xxiii
<i>Acknowledgements</i>	xxv
<i>Disclaimer</i>	xxvii
<i>Table of Cases</i>	lvii
<i>Table of Statutes</i>	lxxvii
<i>Table of Statutory Instruments</i>	lxxxiii
<i>Table of Civil Procedure Rules</i>	xcv
CHAPTER 1	
HISTORICAL SKETCH OF LEGAL PLEADINGS GENERALLY	1-001
CHAPTER 2	
THE LATE 20TH CENTURY REFORMS	
(1) Fin-de-Siecle	2-001
(2) The Original Woolf Proposals in Respect of Pleadings	2-003
(3) "Access to Justice"—The Final Report	2-005
 MATERIALS	
Extract from "Access to Justice"	L2-001
CHAPTER 3	
REQUIREMENTS OF THE CIVIL PROCEDURE RULES	
(1) Originating process—the claim form	3-001
(2) Statements of case generally	3-008
(3) Particulars of claim	3-009
(4) Defences	3-016
 MATERIALS	
CPR Part 16	L3-001
CPR Practice Direction 16 – Statements of Case	L3-010
CHAPTER 4	
GENERAL PRINCIPLES OF PERSONAL INJURY PLEADING	
(1) The Primary Function of Pleadings	4-001
(2) Principles	4-002

FORMS

Claim by customer against occupiers of superstore for injuries caused by slipping on yogurt on floor	F4-001
Suggested structure of particulars of claim in a personal injuries case, including suggested lay-out of particulars of injuries	F4-002
Completion and conclusion of the Particulars of Claim in a fatal accident case	F4-003
Specimen Schedule of past and future losses and expenses for a case such as F4-001	F4-004
Defence to Form F4-001	F4-005
Counter Schedule to F4-004	F4-006
Request by Defendant store occupiers for further information	F4-007
Response to Request for Further and Better Information in Form F4-007	F4-008
Request by Claimant for Further Information	F4-009
Response: Further Information from Defendants in Response to F4-009	F4-010
Foreman bricklayer working with chemicals developed occupational asthma: late diagnosis and date of knowledge pleaded	F4-011
Defence to Form F4-011	F4-012
Reply to Defence in Form F4-012	F4-013
Claim by lagger for provisional damages for asbestosis	F4-014

MATERIALS

Limitation Act 1980 (c.58) ss.10, 11, 11A, 12, 14, 14A, 14B, 28, 33	L4-001
Fatal Accidents Act 1976 (c.30) ss.1—5	L4-011
Law Reform (Miscellaneous Provisions) Act 1934 (c.41) s.1	L4-017
Law Reform (Contributory Negligence) Act 1945 (c.28) s.1	L4-018
Civil Evidence Act 1968 (c.64) s.11	L4-019
Senior Courts Act 1981 (c.54) ss.32, 32A, 33, 34, 35, 35A	L4-020
County Courts Act 1984 (c.28) s.51	L4-026
Damages Act 1996 (c.48) ss.1—3	L4-027
Civil Procedure Rules Part 7 r.7.4	L4-032
Practice Direction 7A—How to Start Proceedings—The Claim Form paras 3.6, 3.8, 6.1 and 6.2	L4-033
Civil Procedure Rules Part 14	L4-034
Practice Direction 14—Admissions	L4-051
Civil Procedure Rules Part 15	L4-058
Practice Direction 15—Defence and Reply	L4-069
Civil Procedure Rules Part 16	L4-072
Practice Direction 16—Statements of Case	L4-080
Civil Procedure Rules Part 18	L4-088
Practice Direction 18—Further Information	L4-089
Civil Procedure Rules Part 20	L4-096
Practice Direction 20—Counterclaims and Other Additional Claims	L4-109
Civil Procedure Rules Part 21 r.21.10	L4-121
Practice Direction 21—Children and Protected Parties paras 5.1 to 7.4	L4-122

Civil Procedure Rules Part 22	L4-125
Practice Direction 22—Statements of Truth	L4-129
Civil Procedure Rules Part 41 rr.41.1 to 41.7	L4-136
Practice Direction 41A—Provisional Damages	L4-144
The Damages (Variation of Periodical Payments) Order 2005 (SI 2005/841)	L4-149
Pre-Action Protocol for Personal Injury Claims	L4-164
Pre-Action Protocol for Disease and Illness Claims	L4-199

CHAPTER 5

AMENDMENT OF PLEADINGS

(1) Amendments and Statements of Truth	5-004
(2) Amendments before and after Service	5-005
(3) Amendments to Statements of Case with the Permission of the Court	5-006
(4) Applications to Amend Where the Permission of the Court is Required	5-007
(5) Markings to be Made on Amended Pleadings	5-008
(6) Effect of Amendment	5-009
(7) General Principles for Grant of Permission to Amend	5-010
(8) Amendment to Allege Contributory Negligence	5-013
(9) Amendment to Add New Heads of Claim	5-014
(10) New, Separate or Distinct Cases at Trial: Judge Making Findings on Basis Other than Pleadings	5-015
(11) Amending to Rely upon Alternative Factual Matrix: Right to a Fair Trial	5-017
(12) Part 36 Settlement Offers and Amendment: Costs Consequences	5-025
(13) Amendment and Limitation	5-026
(14) Appeals	5-032

FORMS

Amended Particulars of Claim: (Simple Short Amendments)	F5-001
Amended Particulars of Claim: (complex amendments to be marked)	F5-002

MATERIALS

Limitation Act 1980 (c.58) s.35	L5-001
Civil Procedure Rules Part 17	L5-002
Practice Direction 17—Amendments to Statements of Case	L5-006

CHAPTER 6

PORTAL CLAIMS

Rejection of Claims	6-020
---------------------------	-------

FORMS

Claim Notification Form (RTA1)	F6-001
Claim Notification Form (EL1)	F6-002

Claim Notification Form (ELD1)	F6-003
MATERIALS	
Pre-Action Protocol for Low Value Personal Injury (Employers' Liability and Public Liability) Claims arising on or after 31 July 2013	L6-020
Pre-Action Protocol for Personal Injury Claims	L6-055
CHAPTER 7	
RELIEF FROM SANCTIONS AND CPR PART 3 RULE 3.9(1)	7-001
FORMS	
Specimen Application Notice	F7-001
MATERIALS	L7-001
CHAPTER 8	
SUMMARY ASSESSMENT OF COSTS	
(1) Principles for the Award of Costs	8-001
(2) Complex Litigation	8-008
(3) Costs on the Indemnity Basis	8-009
(4) Indemnity Costs in Part 36 Cases	8-014
(5) Limitations in Conditional Fee Agreements	8-016
(6) Costs Orders and Clinical Negligence Cases	8-019
Summary Assessment	8-021
FORMS	
Schedule Of Costs Precedent G: Points Of Dispute	F8-001
MATERIALS	L8-001
CHAPTER 9	
COSTS PART 2 – PARTICULAR CASES	
(1) Allegations of Fraud and Potential Abuse of Process by Defendants	9-001
(2) Qualified One-Way Costs Shifting and Cases of Fundamental Dishonesty	9-004
(3) Dishonesty Generally	9-011
FORMS	
Settling Defences in Cases of Suspected Fundamental Dishonesty ..	F9-001
MATERIALS	L9-001
CHAPTER 10	
EFFECTS OF WITHDRAWAL FROM THE EU ON PERSONAL INJURY LITIGATION	
(1) Effects of Withdrawal from the EU on Personal Injury	

Litigation	10-001
(2) EU Law on Uninsured and Untraced Drivers	10-002
(3) Insolvent Insurers and Insurers' Rights to Limit Compensation	10-005
MATERIALS	
European Union (Withdrawal) Act 2018	L10-001
CHAPTER 11	
LIABILITY FOR INJURIES CASUED BY ANIMALS	
Introductory Note	11-001
FORMS	
Claimant injured by unpredictable and/or dangerous horse	F11-001
Claimant injured by unpredictable and/or dangerous horse: Defence	F11-002
Barmaid bitten by unduly vicious dog affected by surgery or anaesthetic	F11-003
Doctor making house call injured by mischievous dog	F11-004
Child riding horse, fell off and trampled on by another horse at riding school (claim in negligence only)	F11-005
MATERIALS	
Animals Act 1971 (c.22)	L11-001
CHAPTER 12	
ASSAULTS AND TRESPASS TO THE PERSON	
Vicarious Liability for Assaults and Sexual Abuse	12-001
FORMS	
Assault by store security guard: aggravated damages claimed	F12-001
Assault by store security guard: aggravated damages claimed – defence	F12-002
Boundary dispute between neighbours: claimant assaulted in his own home: aggravated damages sought	F12-003
Motorist unlawfully assaulted, arrested, detained and prosecuted by police officers	F12-004
Parking inspector injured by Defendant driving motor car into him	F12-005
Road rage - Assault and false imprisonment: aggravated damages sought	F12-006
Claim by child against school as employers of housemaster for historic sexual abuse where negligence not alleged	F12-007
MATERIALS	L12-001
CHAPTER 13	
CLINICAL NEGLIGENCE	
(1) Basic Considerations in Pleading Clinical Negligence Cases ..	13-001

(2) Miscellaneous Notes	13-014
-------------------------------	--------

FORMS

Child claimant left with scarring after cyst excised from leg; wound infected; stitches left in for too long	F13-001
Claimant with aortic aneurysm which general practitioner, casualty officer and orthopaedic department failed to diagnose	F13-002
Claimant suffered foot drop following gynaecological operation during which feet were placed in stirrups; failure to treat promptly	F13-003
Operating staff mistook bile duct for cystic duct; further operation required	F13-004
Claimant conceived child following sterilisation operation; claimant not informed of the failure rate	F13-005
Claimant with psychological condition fell in hospital fracturing femur; fracture undetected; three operations required leaving claimant permanently disabled	F13-006
Failed sterilisation operation: partial occlusion of tubes	F13-007
Doctor failing to diagnose acute bowel obstruction	F13-008
A claim for damages against an optician for negligent treatment	F13-009
Patient developing claw toes after negligent treatment of leg fracture	F13-010
Negligent treatment of wound by surgeons resulting in extensive infection, reaction to antibiotics, colitis, and eventual need for colostomy	F13-011
Negligent diagnosis and treatment of disc prolapse by GP, resulting in permanent impairment in sensation below waist	F13-012
Claim by mother of violent psychiatric patient for injuries sustained in attack upon her by son	F13-013
Claim against specialist orthopaedic staff on behalf of child Claimant: failure to diagnose congenital dislocation of the hips ("CDH")	F13-014
Claim by patient being treated for lump in breast: negligent surgery resulting in failure to remove lump and unsightly scarring; need for second operation	F13-015
Claim by mother for negligent treatment at childbirth: patient who had previously had Caesarean section developing fistula as a result of uterus rupturing at site of scar	F13-016
Claim by child for damages for scarring caused by negligent BCG injection	F13-017
Claim in respect of injuries to mother and death of baby during birth: excessive force in use of Keillens forceps	F13-018
Claimant conceived child following sterilisation operation - Defence to F13-005 (that Claimant not informed of the failure rate)	F13-019
Model Form of Order in YM (A Child & Patient by her Mother & Litigation Friend EH) v Gloucestershire Hospitals NHS Foundation Trust and others [2006] EWHC 820 (QB)	F13-020

MATERIALS

Montgomery v Lanarkshire Health Board [2015] P.I.Q.R. P13	L13-001
---	---------

RH v University Hospitals Bristol NHS Foundation Trust [2013] P.I.Q.R. P12 (Swift J)	L13-002
Thompson v Tameside Hospital NHS Foundation Trust	L13-003

CHAPTER 14

FATAL ACCIDENT CLAIMS

Introduction	14-001
--------------------	--------

FORMS

Surveyor killed by fall into unlit and unguarded excavation- Claim	F14-001
Surveyor killed by fall into unlit and unguarded excavation - Defence admitting vicarious liability	F14-002
Claim on behalf of the estate of car passenger killed in road traffic accident (Civil Partners and their children, adaptable for married spouses)	F14-003
Claim on behalf of the estate of pillion passenger killed in road traffic accident	F14-004
Doctor failing to diagnose acute bowel obstruction	F14-005

MATERIALS

Fatal Accidents Act 1976 (c.30) ss.1-5	L14-001
Law Reform (Miscellaneous Provisions) Act 1934 (c.41) s.1	L14-007
Law Reform (Contributory Negligence) Act 1945 (c.28) s.1	L14-008

CHAPTER 15

THE LIABILITY OF HIGHWAY AUTHORITIES, PUBLIC UTILITIES AND STATUTORY
UNDERTAKERS

(1) Highway Authorities	15-001
(2) Public Utilities/Statutory Undertakers	15-024

FORMS

Pedestrian injured falling down unlit steps as a result of water authority severing power cable to street lighting-highway authority and water authority sued	F15-001
Claimant injured in trip on defective steps in highway; breach of s.41 of the Highways Act 1980	F15-002
Claimant motorcyclist injured by manhole cover projecting above level of road surface at roundabout	F15-003
Claimant injured on broken, uneven and slippery footpath	F15-004
Claimant injured in fall over concrete bollard left on pathway; electricity board joined as second Defendants	F15-005
Claimant injured in walking into/over metal fence which had fallen over pathway	F15-006
Claimant injured in fall over projecting tree stump left in pavement; breach of s.41 of the Highways Act 1980 and negligence	F15-007

Claimant injured as a result of bad construction, etc., of paved area—too steep for pedestrians, and in breach of British Standard	F15-008
Child cyclist skidding on loose chippings caused by Defendants' road repairs: no warning of hazard	F15-009
Claimant falling into hole in road made by independent contractors' excavations: alternative claim against housing authority as occupiers	F15-010
Open air street market; Claimant injured in trip on rope or cord left on highway by third Defendant market stall holder; second Defendants organisers of market with consent of first Defendants Highway Authority	F15-011
Claimant injured in fall caused by pothole in surface of pavement	F15-012
Road accident caused by ice: Defendant highway authority failing to salt or grit road	F15-013
Claimant injured by fall over dwarf wall extending across part of highway	F15-014
Defence to claim in simple highway tripping case: Statutory defence pleaded	F15-015
Claimant injured in trip on steps in highway: denial of breach of statutory duty or significant danger: statutory defence under s.58(1) of the Highways Act 1980 pleaded: system of inspection relied upon: contributory negligence alleged: defence to Form F15-002	F15-016
Claimant injured in trip on steps in highway: denial of breach of statutory duty or significant danger: fault on part of water authority as statutory undertaker pleaded: contributory negligence alleged: alternative defence to Form F15-002	F15-017
Claimant motor cyclist injured by striking manhole cover projecting above level of road surface at roundabout: defence alleging vandalism: defence to Form F15-001	F15-018
Road accident caused by ice: defence alleging prompt action taken by highway authority: defence to Form F15-013	F15-019
Claimant injured in trip on steps in highway; denial of breach of statutory duty or significant danger: defence to Form F15-002	F15-020
Claimant injured as a result of gas board leaving unguarded trench in highway; gas board alleging fault of highway authority: defence to Form F15-012	F15-021

MATERIALS

Highways Act 1980 (c.66) ss.41, 58 and 329	L15-001
New Roads and Street Works Act 1991 (c.22)	L15-004

CHAPTER 16

HOTELS, BARS AND RESTAURANTS	16-001
------------------------------------	--------

FORMS

Claim against Hotel (based on Ward v Ritz hotel)	F16-001
Claim by guest against club trustees for injuries caused by beer glass falling from table whilst attending an engagement party	F16-002

Claim by visitor to rugby ground for injuries caused in fall on grandstand staircase after workmen removed steps	F16-003
Claim by visitor against night club owner for injuries caused by fall over single step leading to ladies lavatory	F16-004
Defence to claim by visitor against night club owner for injuries caused by fall over single step leading to ladies lavatory	F16-005
Claimant barmaid injured when Defendant's mischievous dog ran into her causing her to fall	F16-006

CHAPTER 17

MOTORISTS' LIABILITY

Introductory Note	17-001
-------------------------	--------

FORMS

Claim by driving instructor for whiplash injuries sustained when Defendants drove into rear of Claimant's stationary car whilst Claimant supervising pupil	F17-001
Motor car driver disobeying traffic signal and colliding with motor cycle rider	F17-002
Defendant negligently drove motor car into motor cyclist	F17-003
Child suing estate of deceased driver of motor car who ran over Claimant while Claimant crossing road	F17-004
Head on collision case	F17-005
Defendant car driver colliding with parked vehicle: excess alcohol	F17-006
Defendant failing to obey pelican crossing signals and colliding with rear of Claimant's car stationary at crossing	F17-007
Claimant passenger injured in vehicle driven with inadequately maintained brakes	F17-008
Claimant run over on pedestrian crossing	F17-009
Claim for approval of settlement of claim by a child	F17-010
Assault case: Claimant leaning into Defendant's car when Defendant drove off dragging Claimant away	F17-011
Police officer negligently driving into collision with Claimants' car	F17-012
"Shunt" accident caused by Defendants' vehicle being driven into vehicle which struck Claimant's car	F17-013
Traffic light case	F17-014
Coach driver's negligence	F17-015
Passenger's claim for injuries received as a result of negligent "U-turn"	F17-016
Defendant crossing central reservation on dual carriageway and negligently driving into Claimant's car	F17-017
Claimants knocked down on pedestrian crossing	F17-018
Lorry collided with rear of motor car on motorway	F17-019
Defendant drove into road sign, which struck the Claimants' motor car, and then drove into the Claimants' car	F17-020
Accident on approach to road junction	F17-021
Accident on motorway	F17-022
Defendant changed lanes in the path of on-coming motor cycle	F17-023

Public service vehicle failing to give way at junction	F17-024
Road traffic accident; claim against personal representatives of deceased driver	F17-025
Driver on wrong side of road; head-on collision	F17-026
Claim against Motor Insurers' Bureau following judgment against uninsured driver	F17-027
Pedestrian struck by reversing car	F17-028
Claim by cyclist injured when driver of car negligently opened door in his path	F17-029
Collision following Defendant emerging from a minor road into Claimant's path	F17-030
Claim on behalf of the estate of pillion passenger killed in road traffic accident	F17-031
Form of pleading for joinder of MIB in an uninsured driver case ...	F17-032
Fatal Road Traffic Accident Case: allegation of use of mobile phone when driving and relying on conviction of offence contrary to reg. 2(1) the Road Vehicles (Construction and Use) Regulations 1986 as amended by the Road Vehicles (Construction and Use) (Amendment)(No. 4) Regulations 2003.	F17-033
Nursing assistant injured in mini-bus driven by fellow employee: defence alleging Claimant and driver on a frolic of their own: defence to Form F17-015	F17-034
Defence admitting liability but alleging contributory negligence by passenger—drinking expedition: defence to Form F17-016	F17-035
Defence to Form F17-018 Defendant admitting accident on pedestrian crossing, but denying negligence	F17-036
Defence to Form F17-012 Police officer denying negligence and alleging Claimant's negligence in failing to observe police car answering an emergency call with blue light flashing and siren operating	F17-037
Defence to Form F17-003 Defence to claim by motor-cyclist involved in collision with car	F17-038

MATERIALS

Road Traffic Act 1988 (c.52) ss. 2, 2A, 2B, 3, 3ZA, 3ZB, 3A, 5, 11, 14, 16, 22, 35, 38, 41 and 53	L17-001
The Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 2003	L17-017
The Highway Code [extracts]	L17-020
The Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997 (SI 1997/2400)	L17-040
Motor Insurers' Bureau Compensation of Victims of Uninsured Drivers	L17-076
Notes for the Guidance of Victims of Road Traffic Accidents	L17-100
MIB Untraced Drivers Agreement	L17-111

CHAPTER 18

OCCUPIERS' LIABILITY

(1) Basic Considerations	18-001
--------------------------------	--------

(2) Statutory Provisions	18-002
(3) Miscellaneous Notes	18-009

FORMS

Claim by personal representative of deceased pedestrian injured in fall over single step in indoor market, including allegation of failure to follow British Standard	F18-001
Claim by customer against superstore for injuries caused by tripping over low-loader trolley left in aisle	F18-002
Claim by customer against shop owner for injuries caused by slipping on wet floor	F18-003
Claim against high street chemist for tripping accident caused by defect in exterior surface adjoining pavement	F18-004
Claim by child against superstore for injuries caused by fall from shopping trolley, including claim under the Defective Premises Act 1972	F18-005
Claim by shopper injured by collapse of defective chair in furniture shop	F18-006
Claim by pedestrian against shop owner for injuries caused by shop signs falling in highway	F18-007
Claim by child against council occupiers of park for injuries received as a result of stepping into a pothole in a path	F18-008
Claim by child against council as occupiers of playground for injuries caused by defective and dangerous roundabout	F18-009
Claim by child for injuries received whilst using slide at defendant's playground	F18-010
Claim by child for injuries caused by tripping in council car park including claim against council as highway authority	F18-011
Claim by pedestrian against council as occupiers of shopping centre (and against architects thereof) for injuries received in fall whilst using a seat installed in a dangerous position on a wall, including allegations of failing to comply with Building Regulations	F18-012
Claim by visitor to leisure centre against council occupiers for injuries caused when walking on defective temporary step	F18-013
Claim by mother and child against council for injuries caused in fall on dangerous steps at council offices	F18-014
Claim by child injured after falling at ice rink: inadequate supervision	F18-015
Claim by young offender detainee against contractors to Home Office for injuries caused by dangerous laundry machine	F18-016
Claim by prisoner against prison and pest control contractors for injuries sustained through inhaling dangerous fumes	F18-017
Claim by pedestrian against construction company occupying building site crossed by public footpath	F18-018
Claim by customer against garage proprietors for injuries caused by slipping on oil within garage premises	F18-019
Claim by visitor to second Defendant's home against next door neighbour (first Defendant) and second Defendant for injuries received in falling into an unguarded excavation made by first Defendant at boundary between the gardens of the Defendants' properties	F18-020

Claim against council for injuries received as a result of the collapse of council house boundary wall	F18-021
Claim by police officer injured tripping over dangerous boundary wall between council houses whilst investigating incident, including allegation of failure to follow British Standards	F18-022
Claim by police officer against occupiers of dwelling-house for injuries received in falling into an unguarded and unmarked manhole at the side thereof	F18-023
Claim by council tenant for breach of statutory covenant to repair and negligence causing respiratory infection and asthma to tenant and her children	F18-024
Claim by council tenant against council as landlord and highway authority for injuries caused by defective steps leading from road to house	F18-025
Claim by council house tenant for injury discomfort and inconvenience caused by incompetent execution of repair works	F18-026
Claim by council tenant for breach of statutory covenant and negligence caused by excessive damp after explosion caused damage to water, heating or drainage pipes	F18-027
Claim by council tenant and child for asthma caused by damp resulting from breach of statutory covenant and negligence and breach of duty under the Defective Premises Act 1972	F18-028
Claim against council landlord for respiratory ailments caused by inadequate heating and excessive damp resulting from breach of statutory covenant and negligence/breach of Defective Premises Act	F18-029
Claim by tenant against council and contractors for injuries caused by defective steps forming part of the common parts of a block of flats	F18-030
Claim by tenant against council for injuries caused by fumes emitted from defective heating system	F18-031
Claim by tenant for breach of statutory covenant for repair causing penetrating damp and personal injury	F18-032
Claim by artist against landlords of studio for injuries caused by fall from defective step-ladder provided by landlords	F18-033
Claim by hospital porter for injuries to eyes caused by careless disposal of irritant liquids	F18-034
Claim by child against owners of holiday caravan park for injuries caused by defective steps to caravan	F18-035
Claim by holidaymaker injured by dangerous chair in ballroom of holiday camp	F18-036
Claim by child falling from dangerous bunk in caravan	F18-037

MATERIALS

Occupiers' Liability Act 1957 c. 31	L18-001
Occupiers' Liability Act 1984 c. 3	L18-008
Landlord and Tenant Act 1985 (c.70) ss. 11, 12, 13, 14, 15, 16, and 17	L18-013
Defective Premises Act 1972 (c.35)	L18-020

CHAPTER 19

PRIVATE INDIVIDUALS' LIABILITY

Introduction	19-001
--------------------	--------

FORMS

Motorcyclist injured when he drove into chippings dumped in highway causing obstruction	F19-001
Claimant tripped over length of string left across pavement by building contractors	F19-002
Defendant and Claimant owners of adjoining properties; during a gale a roll of foam blew from Defendant's back yard and hit Claimant	F19-003
Defendant plumber parked his van outside Claimant's house; van exploded injuring Claimant	F19-004
Claimant employee of first Defendant who was owner of vicious dog. Second Defendant vet. Dog operated upon by second Defendant subsequently bit Claimant whilst helping to carry the dog at first Defendant's request. No warning given about anaesthetic or muzzling.	F19-005
Claimant injured by obstructions projecting from Defendant's trailer and vehicle left on road	F19-006
Claimant struck by jib of crane operated by Defendant building contractor	F19-007
Window cleaner injured falling off ladder	F19-008
Claimant injured falling on defective pavement outside private residence	F19-009
Defendant and Claimant owning adjoining properties: roll of foam blowing from Defendant's back yard and striking Claimant (claim in nuisance and negligence); defence denying negligence and pleading that nuisance was created by a burglar: defence to Form F19-003	F19-010
First defendant's dog biting Claimant after operation having been performed on dog by second Defendant. First Defendant denying liability under the Animals Act and negligence, second Defendant denying negligence and asserting warnings: defences of the first and second defendants to Form F19-005	F19-011

CHAPTER 20

PRODUCT LIABILITY

Introduction	20-001
--------------------	--------

FORMS

Claim by rider for injuries sustained as a result of defective helmet	F20-000
Claimant suffered electric shock from hi-fi appliance	F20-001
Claim for damages for injuries caused by blade of defectively-packaged food mixer	F20-002
Claim for damages for personal injuries caused by defective automatic transmission system	F20-003

Nursing Auxiliary struck by defective counter-weighted support bar manufactured by second Defendants; includes claims against employer-occupiers under the Occupiers' Liability Act 1957 and the Employers' Liability (Defective Equipment) Act 1969	F20-004
Claim against pharmaceutical company for addictive properties of drug	F20-005
Windscreen shattering spontaneously: motorist injured	F20-006
Hairdresser's "own-brand" hair dye causing dermatitis to purchaser	F20-007
Lemonade—mould in bottle causing child gastro-enteritis	F20-008
Cola drink—bottle exploding in infant Claimant's hand	F20-009
Customer injured by exploding glass jar	F20-010
Conflagration caused by gas escaping from defective butane gas cylinder	F20-011
Defence to a horseman's claim following head injury allegedly caused by defective riding helmet	F20-012
Defence to Form F20-001 Defence denying defective design or manufacture of hi-fi appliance and alleging faulty fitting of plug by Claimant	F20-013
Soft drink manufacturers' defence to claim on behalf of child Claimant in respect of injuries caused by exploding bottle: raw material suppliers' defence under s.4(1)(f): defence to form F20-009	F20-014
Defence to Form F20-006 Windscreen shattering spontaneously: defence under s.4(1)(d): no defect at relevant time	F20-015

MATERIALS

Consumer Protection Act 1987	L20-001
------------------------------------	---------

CHAPTER 21

SCHOOLS: LIABILITY FOR NEGLIGENCE OF STAFF AND ASSOCIATED SUPERVISORS, AND FOR THE STATE OF THE PREMISES, AND GENERALLY.	21-001
---	--------

FORMS

Claim by student against occupiers of training centre for injuries received in fall caused by slipping on wet surface of corridor leading to canteen	F21-001
Claim by mother of child against school authority for injuries caused by slipping on wet floor tiles at school	F21-002
Claim by child against council education authority for injuries received at school during physical education lesson in falling from climbing frame: breach of Education (School Premises) Regulations 1999 and inadequate supervision alleged	F21-003
Claim by child against council education authority for injuries caused by finger catching in dangerous gate; Breach of Education (School Premises) Regulations 1999	F21-004
Claim by child against council school authority for injuries caused by dangerously steep bank including allegations of lack of supervision and failure to follow British Standards	F21-005

Claim by dining room assistant for injuries sustained by slipping on water in corridor	F21-006
Vicarious liability—claim by child against school as employers of housemaster for historic sexual abuse where negligence not alleged	F21-007

MATERIALS

The Education (School Premises) Regulations 1999	L21-001
--	---------

CHAPTER 22

LIABILITY FOR SPORTS INJURIES

(1) Adventure Sports	22-002
(2) Bobsleigh	22-003
(3) Association Football	22-004
(4) Boxing	22-006
(5) Cycling	22-007
(6) Equestrian Events	22-009
(7) Football at School	22-011
(8) Go-Karting: Disclaimers and Limitation	22-012
(9) Gymnasium Activities	22-013
(10) Hockey	22-014
(11) "Horseplay"	22-015
(12) Horse Racing	22-016
(13) Indoor Rock Climbing	22-017
(14) Light-aircraft Flying, Gliding and Ballooning	22-018
(15) Motorcycling and Motor Racing	22-020
(16) Rugby League	22-022
(17) Rugby Union	22-023
(18) Scouting	22-029
(19) Water-skiing	22-030

FORMS

Amateur boxer sustaining unnecessary brain damage consequent to injuries received during bout fought under defendant Board's rules	F22-001
Soccer player receiving broken leg in dangerous late tackle by opponent	F22-002
Claim by rugby player against referee for injuries received as a result of failure to enforce rules	F22-003

MATERIALS

British Boxing Board of Control	L22-002
---------------------------------------	---------

CHAPTER 23

CLAIMS CONNECTED WITH HOLIDAYS ABROAD AND FOREIGN TRAVEL

(1) The Package Holiday Regulations	23-002
(2) Non-package holiday cases: identification of the correct defendant	23-010

- (3) Carriage by Sea: The Athens Convention 23-013
 (4) The Carriage by Air Conventions: The Warsaw Convention
 and the Montreal Convention 23-018
 (5) Carriage by Rail: COTIF 23-024

FORMS

- Claim under Package Holiday Regulations 1992 F23-001

MATERIALS

- The Package Travel, Package Holidays and Package Tours
 Regulations 1992 L23-001
 Athens Convention relating to the Carriage of Passengers and their
 Luggage by Sea, 1974 L23-015
 Protocol of 2002 to the Athens Convention Relating to the
 Carriage of Passengers and their Luggage by Sea, 1974 L23-044
 Summary of the Convention Concerning International Carriage by
 Rail (COTIF) of 9 May 1980, as amended by the Vilnius
 Protocol of 3 June 1999 L23-069

CHAPTER 24

EMPLOYERS' LIABILITY UNDER PRE-1992 LEGISLATION OR REGULATIONS

- Introductory Note 24-001

FORMS

- Fatal mesothelioma: claim by widow of worker formerly
 employed at insulation material factory, who died (intestate) of
 mesothelioma contracted during the regime of the Asbestos
 Industry Regulations 1931 – Direction sought under s.33 of the
 Limitation Act 1980 to allow claim to proceed against a
 wound-up company recently restored to the Register of
 Companies F24-001
 Fatal mesothelioma: claim by executrix of deceased furnace
 bricklayer: exposure to asbestos before commencement of
 Asbestos Regulations 1969 (period of employment
 1959–1969) F24-002
 Fatal mesothelioma: claim by executor of deceased joiner/
 carpenter for late-onset asbestosis resulting from exposure
 during period of employment 1972 – 1978 F24-003
 Living mesothelioma: bricklayer exposed to asbestos after
 commencement of Asbestos Regulations 1969 F24-004
 Noise induced hearing loss in factory worker pre-1992: late onset
 deafness F24-005
 Pre-1992 HAVS case: tunneller working with percussive tools:
 references to literature F24-006

MATERIALS

- Factories Act 1937 (c.67) ss.1, 4, 26, 47, 103, 106, 107, 108, 151,
 152 L24-001

- Factories Act 1961 (c.34) ss.1, 4, 29, 63, 123, 126, 127 L24-009
 The Asbestos Industry Regulations 1931 L24-015
 The Asbestos Regulations 1969 L24-020
 Employer's Liability (Defective Equipment) Act 1969 (c.87) ss.1,
 2 L24-042
 The Construction (General Provisions) Regulations 1961 regs 1, 2,
 3, 20, 21 L24-046
 The Construction (Working Places) Regulations 1966 regs 1, 2, 3,
 6 L24-051
 The Shipbuilding and Ship-repairing Regulations 1960 regs 1, 2,
 3, 4, 48, 51, 53, 76 L24-056
 Compensation Act 2006 s.3 L24-064

CHAPTER 25

POST-1992 EMPLOYERS' LIABILITY

- Accidents Occurring or Disease Caused by Breach of Duty
 between 1 January 1993 and 1 October 2013 25-001

FORMS

- Pre-2013 COSHH Biological agent (HIV) exposure case Schedule
 3 Part 1 of the Control of Substances Hazardous to Health
 Regulations 1999 i F25-001
 Pre-2013 COSHH case Control of Substances Hazardous to
 Health Regulations 2002 F25-002
 Word-processor operator suffering epilepsy by repetitive work at
 VDU Health and Safety (Display Screen Equipment)
 Regulations 1992 F25-003
 Pre-2013 exposure to asbestos: general labourer claim alleging
 breach of Control of Asbestos at Work Regulations 2002 ii F25-004
 Pre-2013 exposure to asbestos alleging breach of the Control of
 Asbestos Regulations 2006 iii F25-005
 Pre-2013 occupational exposure to asbestos Control of Asbestos
 Regulations 2006 iv F25-006
 Pre-2013 HAVS case Control of Vibration at Work Regulations
 2005, and earlier applicable Regulations v F25-007
 Pre-2013 Noise induced hearing loss Generic example F25-008
 Pre-2013 HAVS case second example F25-009
 Pre-2013 Industrial asthma case F25-010
 Pre-2013 Noise induced hearing loss F25-011
 Factory worker: industrial deafness from noise Pre-2013 case F25-012
 Administrative assistant suffering repetitive strain injury from data
 processing Health and Safety (Display Screen Equipment)
 Regulations 1992 Workplace (Health Safety and Welfare)
 Regulations 1992 F25-013
 Quality controller caused carpal tunnel syndrome by repetitive
 work: breach of the Manual Handling Operations Regulations
 1992 F25-014
 Pre-2013 ASTHMA F25-015

MATERIALS

Management of Health and Safety at Work Regulations 1999/3242	L25-001
Workplace (Health, Safety and Welfare) Regulations 1992/3004	L25-030
Personal Protective Equipment at Work Regulations 1992/2966	L25-060
Manual Handling Operations Regulations 1992/2793	L25-075
Health and Safety (Display Screen Equipment) Regulations 1992/2792	L25-084
Lifting Operations and Lifting Equipment Regulations 1998/2307 .	L25-092
Control of Substances Hazardous to Health Regulations 2002/2677	L25-112
Construction (Design and Management) Regulations 2007/320	L25-135
Work at Height Regulations 2005/735	L25-184
Construction (Head Protection) Regulations 1989/2209	L25-205
Control of Noise at Work Regulations 2005/1643	L25-215
Control of Asbestos Regulations 2012/632	L25-230
Control of Vibration at Work Regulations 2005/1093	L25-266
Electricity at Work Regulations 1989/635	L25-280
Electrical Equipment (Safety) Regulations 1994/3260	L25-315
Gas Safety (Installation and Use) Regulations 1998/2451	L25-334
Pressure Systems Safety Regulations 2000/128	L25-376
Docks Regulations 1988/1655	L25-396
Railway Safety (Miscellaneous Provisions) Regulations 1997/553 .	L25-417
Ionising Radiations Regulations 1999/3232	L25-429
Loading and Unloading of Fishing Vessels Regulations 1988/1656	L25-444
Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Carcinogens and Mutagens) Regulations 2007/3100	L25-453
Mines and Quarries Act 1954 (c.70)	L25-480
Mines (Safety of Exit) Regulations 1988/1729	L25-482
Management and Administration of Safety and Health at Mines Regulations 1993/1897	L25-495
Mines (Control of Ground Movement) Regulations 1999/2463	L25-541
Quarries Regulations 1999/2024	L25-560
Enterprise and Regulatory Reform Act 2013 (c.24)	L25-609
The Provision and Use of Work Equipment Regulations 1998/2306	L25-610

CHAPTER 26

EMPLOYER'S LIABILITY FOR ACCIDENTS OCCURRING OR DISEASE CAUSED BY BREACH OF DUTY FROM 1 OCTOBER 2013

(1) Introduction	26-001
(2) Section 69 of the Enterprise and Regulatory Reform Act 2013, its genesis, and its place in the law of Employer's Liability	26-002
(2) The nineteenth- and early twentieth-century cases on breach of statutory duty	26-004
(4) More modern developments	26-008
(5) Pleading breach of statutory duty in cases based on facts subsequent to the commencement date of section 69 of the	

2013 Act	26-009
Appendix 1	26-016
Appendix 2 Alphabetical List of Principal Health & Safety Regulations in Force as At 1 November 2018 (Excluding those which Impose only Administrative Obligations)	26-017

FORMS

Stress: claim by woman employee for sexual harassment at work ..	F26-001
Laundry manager's hand caught in roller of sheet press: Provision and Use of Work Equipment Regulations 1998	F26-002
Cardboard quality controller suffering carpal tunnel syndrome by repetitive work	F26-003
Storeman tripping on plank edge in warehouse	F26-004
Explosion case: furnaceman burned by molten metal in disregard of Personal Protective Equipment at Work Regulations 1992, regulations 4, 9 and 10	F26-005
Computer Vision Syndrome and Migraine caused by display screen equipment – Claim	F26-006
Amputation of agricultural labourer's hand by faulty chainsaw: Provision and Use of Work Equipment Regulations 1998	F26-007
Amputation of agricultural labourer's hand by faulty chainsaw – Defence	F26-008
Agricultural accident to child visitor to farm: Prevention of Accidents to Children in Agriculture Regulations 1998	F26-009
Agricultural accident to child visitor to farm Defence denying liability - premises let to and occupied by an independent company	F26-010
Agricultural labourer injured when thrown from tractor without safety cab: Agriculture (Tractor Cabs) Regulations 1974	F26-011
Agricultural labourer injured when thrown from tractor without safety cab – Defence	F26-012
Farmworker's arm amputated when clothing caught in nip of unguarded power take off: Provision and Use of Work Equipment Regulations 1998	F26-013
Farmworker's arm amputated-caught in nip of unguarded power take off – Defence	F26-014
Demolition labourer exposed to asbestos Control of Asbestos Regulations 2012 (exposure post-April 2012)	F26-015
Demolition labourer exposed to asbestos – Defence	F26-016
Bricklayer working with chemicals developed occupational asthma: Control of Substances Hazardous to Health Regulations 2002; Workplace (Health, Safety and Welfare) Regulations 1992	F26-017
Bricklayer caused occupational asthma – Defence	F26-018
Chemical worker developing occupational asthma: Control of Substances Hazardous to Health Regulations 2002; Workplace (Health, Safety and Welfare) Regulations 1992	F26-019
Chemical worker caused occupational asthma – Defence	F26-020

Trainee hairdresser burned by defective lamp: claim alleging disregard of the Provision and Use of Work Equipment Regulations 1998 and the Electrical Equipment (Safety) Regulations 1994	F26-021
Trainee hairdresser burned by defective lamp	F26-022
Brewery mechanic's hand crushed repairing broken conveyor chain: Provision and Use of Work Equipment Regulations 1998	F26-023
Brewery mechanic's hand crushed repairing broken conveyor chain – Defence	F26-024
Mechanic injured when crushed by falling gearbox: Provision and Use of Work Equipment Regulations 1998; Lifting Operations and Lifting Equipment Regulations 1998	F26-025
MECHANIC injured when crushed by falling gearbox – Defence ..	F26-026
Laundry worker contracting dermatitis: Personal Protective Equipment at Work Regulations 1992; Workplace (Health, Safety and Welfare) Regulations 1992	F26-027
Laundry worker contracting dermatitis – Defence	F26-028
Fitter caused deafness - noise induced hearing loss: Noise at Work Regulations 1989	F26-029
Defence to claim against an employer for damages for noise induced deafness denying causation and alleging breach of statutory duty and contributory negligence contrary to the Control of Noise at Work Regulations 2005 reg. 8 and Management of Health and Safety at Work Regulations 1999 reg. 14: Defence to Form 50	F26-030
Claim by dock worker for injuries sustained whilst unloading fish: The Loading and Unloading of Fishing Vessels Regulations 1988/1656	F26-031
Claim by dock worker for injuries sustained whilst unloading fish – Defence	F26-032
Metal machinist injured by electric shock: Electricity at Work Regulations 1989; Equipment (Safety) Regulations 1994	F26-033
Metal machinist injured by electric shock – Defence	F26-034
Epilepsy caused to word-processor operator by repetitive work at computer workstation and display screen	F26-035
Defence to epilepsy data processing claim denying causation, alleging proper system of breaks and changes of activity, and relying upon guidance notes	F26-036
Assembler's eye injury - piece of grinding wheel ejected: Provision and Use of Work Equipment Regulations 1998; Personal Protective Equipment at Work Regulations 1992	F26-037
Assembler's eye injury - piece of grinding wheel ejected – Defence	F26-038
Computer Vision Syndrome and Migraine caused by display screen equipment	F26-039
Computer Vision Syndrome and Migraine caused by display screen equipment – Defence	F26-040

Chemical burn to cornea of eye of roll doctor operator caused by corrosive chemicals splashed into face: Dangerous Substances and Explosive Atmospheres Regulations 2002; Provision and Use of Work Equipment Regulations 1998; Personal Protective Equipment at Work Regulations 1992	F26-041
Chemical burn to cornea of eye of roll doctor operator – Defence ..	F26-042
Care assistant burned by gas explosion: Gas Safety (Installation and Use) Regulations 1998, as amended and Workplace (Health Safety and Welfare) Regulations 1992	F26-043
Care assistant burned by gas explosion – Defence	F26-044
Die-caster splashed by molten metal: Personal Protective Equipment at Work Regulations 1992; Workplace (Health, Safety and Welfare) Regulations 1992	F26-045
Die-caster splashed by molten metal – Defence alleging provision of suitable personal protective equipment, information, instruction and training	F26-046
Apprentice dry cleaner injured in explosion at shop: Dangerous Substances and Explosive Atmospheres Regulations 2002	F26-047
Apprentice dry cleaner injured in explosion at shop – Defence	F26-048
Explosion case: furnaceman burned by molten metal in disregard of Personal Protective Equipment at Work Regulations 1992, regulations 4, 9 and 10	F26-049
Explosion case: furnaceman burned by molten metal – Defence	F26-050
Claim for exposure to lead relying on the Control of Lead At Work Regulations 2002	F26-051
Machine minder dangerously exposed to lead – Defence	F26-052
Power station technician exposed to radiation: Ionising Radiations Regulations 2017	F26-053
Power station technician exposed to radiation Ionising Radiations Regulations 2017 – Defence	F26-054
Turner/ordnance worker developed beryllium granuloma - Provision and Use of Work Equipment Regulations 1998; the Workplace (Health, Safety and Welfare) Regulations 1992; Control of Substances Hazardous to Health Regulations	F26-055
Turner/ordnance worker developed beryllium granuloma – Defence Provision and Use of Work Equipment Regulations 1998 the Workplace (Health, Safety and Welfare) Regulations 1992 Control of Substances Hazardous to Health Regulations	F26-056
Boatyard inventory clerk injured in fall caused by exposed metal strip on stairs: Workplace (Health, Safety and Welfare) Regulations 1992 and the Occupiers' Liability Act 1957	F26-057
Boatyard inventory clerk injured in fall – Defence	F26-058
Boilermaker injured by fall into casting pit: Workplace (Health, Safety and Welfare) Regulations 1992; Work at Height Regulations 2005	F26-059
Boilermaker injured by fall into casting pit – Defence	F26-060
Haulier injured falling into coal chute: Mines Regulations 2014	F26-061
Haulier injured falling into coal chute – Defence	F26-062
Machine minder injured in fall from defective walkway: Workplace (Health, Safety and Welfare) Regulations 1992; Provision and Use of Work Equipment Regulations 1998	F26-063

Machine minder injured in fall from defective walkway – Defence	F26-064
Manageress of shop injured when step stool wobbled causing fall: Workplace (Health, Safety and Welfare) Regulations 1992; Work at Height Regulations 2005	F26-065
Manageress of shop's claim – Defence	F26-066
Surveyor killed by fall into unlit and unguarded excavation: Construction (Design and Management) Regulations 2015; Workplace (Health Safety and Welfare) Regulations 1992; Work at Height Regulations 2005/735; Management of Health and Safety at Work Regulations 1999	F26-067
Surveyor killed by fall into unlit and unguarded excavation – Defence	F26-068
Plasterer injured falling into open manhole, claim in negligence and relying on the Construction (Design and Management) Regulations 2015	F26-069
Plasterer injured falling into open manhole – Defence	F26-070
Machine assistant injured by fork lift truck driven by negligent fellow employee: Workplace (Health, Safety and Welfare) Regulations 1992	F26-071
Machine assistant injured by fork lift truck driven by negligent fellow employee – Defence	F26-072
Fatal injuries caused to foreman by fork lift truck-Claim	F26-073
Fatal injuries caused to foreman by fork lift truck – Defence	F26-074
Fork lift truck driver injured by obstruction to steering of truck Workplace (Health, Safety and Welfare) Regulations 1992	F26-075
Fork lift truck driver injured by obstruction to steering of truck – Defence	F26-076
Fork lift truck driver sprayed with corrosive liquid Workplace (Health, Safety and Welfare) Regulations 1992	F26-077
Fork lift truck driver sprayed with corrosive liquid – Defence	F26-078
HGV driver injured by dangerous condition of lorry: Provision and Use of Work Equipment Regulations 1992; Work at Height Regulations 2005	F26-079
HGV driver injured by dangerous condition of lorry – Defence	F26-080
Hospital cleaner injured by hypodermic needle projecting from refuse bag: Health & Safety (Sharp Instruments in Healthcare) Regulations 2013	F26-081
Hospital cleaner injured by hypodermic needle projecting from refuse bag – Defence	F26-082
Nurse injured lifting patient: breach of Manual Handling Operations Regulations 1992	F26-083
Nurse injured lifting patient: defence alleging steps taken so far as reasonably practicable to avoid the need for manual handling; and in the alternative alleging suitable and sufficient assessment of operations and taking of appropriate steps to reduce risks	F26-084
Nursing assistant attacked by violent patient	F26-085
Nursing assistant attacked by violent patient – Defence	F26-086
State Enrolled Nurse tripping on loose carpet tile: Workplace (Health, Safety and Welfare) Regulations 1992	F26-087
State enrolled nurse tripped on loose carpet tile – Defence	F26-088

Despatcher suffering injuries caused by unsafe stacking of material at height: Manual Handling Operations Regulations 1992 and the Work at Height Regulations 2005	F26-089
Despatcher suffering injuries caused by unsafe stacking of material – Defence	F26-090
Roofer injured in fall caused by use of unsuitable roof ladder: Construction (Health, Safety and Welfare) Regulations 1996	F26-091
Roofer injured in fall caused by use of unsuitable roof ladder – Defence	F26-092
School janitor injured in fall from ladder: Provision and Use of Work Equipment Regulations 1998; Work at Height Regulations 2005	F26-093
School janitor injured in fall from ladder – Defence	F26-094
Steel erector injured in fall from an unsecured ladder: Construction (Design and Management) Regulations 2015; Work at Height Regulations 2005	F26-095
Steel erector injured in fall from an unsecured ladder – Defence	F26-096
Ladder slipping on slippery floor relying on the Workplace (Health, Safety and Welfare) Regulations 1992, the Work at Height Regulations 2005 and the Provision and Use of Work Equipment Regulations 1998	F26-097
Storeman claim for ladder slipping – Defence	F26-098
Labourer's hernia allegedly caused by lifting heavy weight: Manual Handling Regulations 1992	F26-099
Labourer's hernia allegedly caused by lifting heavy weight – Defence denying that the weight manoeuvred was excessive or likely to cause injury and alleging that injury was due to an unknown weakness or susceptibility of the Claimant	F26-100
Labourer's hernia allegedly caused by lifting heavy weight – Defence (2)	F26-101
Factory worker's hand injured by rotating metal teeth on glass hopper – Provision and Use of Work Equipment Regulations 1998	F26-102
Factory worker's hand injured by rotating metal teeth on glass hopper – Defence	F26-103
Fitter injured by overturned "cherry picker": Provision and Use of Work Equipment Regulations 1998; Lifting Operations and Lifting Equipment Regulations 1998; and Work at Height Regulations 2005 and negligence	F26-104
Fitter injured by overturned "cherry picker" – Defence	F26-105
Jig maker's finger injured in circular saw: Provision and Use of Work Equipment Regulations 1998	F26-106
Jig maker's finger injured in circular saw – Defence	F26-107
Agricultural labourer's face wounded by broken blade of circular saw – Provision and Use of Work Equipment Regulations 1998	F26-108
Agricultural labourer's face wounded by broken blade of circular saw – Defence Admission of liability only under the Defective Equipment Act	F26-109
Laundry manager's hand caught in roller of sheet press: Provision and Use of Work Equipment Regulations 1998	F26-110
Laundry manager's hand caught in roller of sheet press – Defence maintaining that a guard was provided	F26-111

Mitre saw operator injured by blades falling out of saw: Provision and Use of Work Equipment Regulations	F26-112
Mitre saw case: Defence alleging volenti non fit injuria and contributory negligence	F26-113
Operator's hand crushed by power press: Provision and Use of Work Equipment Regulations 1998	F26-114
Operator's hand crushed by power press – Defence	F26-115
Apprentice joiner speared by nail from nail-gun: Provision and Use of Work Equipment Regulations 1998	F26-116
Apprentice joiner speared by nail from nail-gun – Defence	F26-117
Collier struck by stone falling from roof: Claim Mines Regulations 2014	F26-118
Collier struck by stone falling from roof – Defence	F26-119
Face worker at mine slipping on rollers concealed by slurry: Mines Regulations 2014	F26-120
Face worker at mine slipping on rollers concealed by slurry – Defence	F26-121
Deputy at coal mine injured by falling rock: Mines Regulations 2014	F26-122
Deputy at coal mine injured by falling rock – Defence	F26-123
Mine deputy injured by metal pipes slipping from a cage: Mines Regulations 2014	F26-124
Mine deputy injured by metal pipes slipping from a cage – Defence	F26-125
Quarry worker injured by falling rock relying on the Quarries Regulations 1999 regulations 6, 12, 30 and 32	F26-126
Quarry worker injured by falling rock – Defence	F26-127
Draughtsman injured by collapse of chair: Employers Liability (Defective Equipment) Act 1969, s.1; Workplace (Health, Safety and Welfare) Regulations 1992	F26-128
Draughtsman injured by collapse of chair – Defence alleging accident due to deliberate act of a fellow employee acting outside the course of his employment	F26-129
Driller injured in borehole airline discharge: Borehole Sites And Operations Regulations 1995	F26-130
Driller injured in borehole airline discharge – Defence	F26-131
Locksmith employed by independent contractor injured in fall caused by obstruction on factory floor: Workplace (Health, Safety and Welfare) Regulations 1992	F26-132
Locksmith employed by independent contractor injured in fall caused by obstruction on factory floor – Defence	F26-133
Railway train driver injured when brakes failed and engine hit buffers: Railway Safety (Miscellaneous Provisions) Regulations 1997; Provision and Use of Work Equipment Regulations 1998; and the Railway Safety Regulations 1999	F26-134
Railway train driver injured when brakes failed and engine hit buffers – Defence	F26-135
Waste disposal technician injured by excess hydraulic pressure: Pressure Systems Safety Regulations 2000	F26-136
Waste disposal technician injured by excess hydraulic pressure – Defence (1)	F26-137

Waste disposal technician injured by excess hydraulic pressure – Defence (2)	F26-138
Cardboard quality controller suffering carpal tunnel syndrome by repetitive work	F26-139
Cardboard quality controller suffering carpal tunnel syndrome by repetitive work – Defence	F26-140
Bricklaying foreman injured in fall by collapse of scaffolding: Construction (Design and Management) Regulations 2015 and the Work at Height Regulations 2005	F26-141
Bricklaying foreman injured in fall by collapse of scaffolding – Defence	F26-142
Dry-liner injured in fall from scaffolding: Construction (Design and Management) Regulations 2015 and Work at Height Regulations 2005	F26-143
Dry-liner injured in fall from scaffolding – Defence	F26-144
Sheet metal worker struck by load falling from crane: The Lifting Operations and Lifting Equipment Regulations 1998	F26-145
Sheet metal worker struck by load falling from crane – Defence	F26-146
Trainee bricklayer struck on head by brick falling from scaffolding	F26-147
Trainee bricklayer struck on head by brick falling from scaffolding – Defence	F26-148
Clamp truck driver slipped on oil waste on floor: Workplace (Health, Safety and Welfare) Regulations 1992	F26-149
Clamp truck driver slipped on oil waste on floor – Defence	F26-150
Council labourer injured in fall on ice: Personal Protective Equipment Regulations 1992	F26-151
Council labourer injured in fall on ice – Defence	F26-152
Minder injured in slip on oil in factory: Workplace (Health, Safety and Welfare) Regulations 1992; Personal Protective Equipment at Work Regulations 1992	F26-153
Guillotine machine minder injured in slip on oil in factory – Defence	F26-154
Council Home Carer injured in fall on ice: Personal Protective Equipment Regulations 1992	F26-155
Council Home Carer injured in fall on ice – Defence	F26-156
Laboratory technician slipping on highly polished floor: Workplace (Health, Safety and Welfare) Regulations 1992	F26-157
Laboratory technician slipping on highly polished floor – Defence	F26-158
Packer slipping on ice or snow at exit to factory: Workplace (Health, Safety and Welfare) Regulations 1992	F26-159
Packer slipping on ice or snow at exit to factory – Defence	F26-160
Storeman tripping on plank edge in warehouse	F26-161
Storeman tripping on plank edge in warehouse – Defence	F26-162
Tool setter slipping on powder leaking from polishing machine: Workplace (Health, Safety and Welfare) Regulations 1992	F26-163
Tool setter slipping on powder leaking from polishing machine – Defence	F26-164
Waitress slipping on polish or polished surface of walkway in factory: Workplace (Health, Safety and Welfare) Regulations 1992	F26-165

CONTENTS

Waitress slipping on polish or polished surface of walkway in factory – Defence	F26-166
Fireman slipping on defective stairs: Workplace (Health, Safety and Welfare) Regulations 1992	F26-167
Fireman slipping on defective stairs – Defence	F26-168
Forewoman packer slipping on wet canteen stairs: Workplace (Health, Safety and Welfare) Regulations 1992	F26-169
Forewoman packer slipping on wet canteen stairs – Defence	F26-170
Stress: claim by woman employee for sexual harassment at work ..	F26-171
Stress: claim by woman employee for sexual harassment at work – Defence	F26-172
Tunneller working with percussive tools developing Hand-Arm Vibration Syndrome: references to literature	F26-173
Tunneller working with percussive tools developing Hand-Arm Vibration Syndrome – Defence	F26-174

MATERIALS

Kennedy (Appellant) v Cordia (Services) LLP (Respondent) (Scotland)	L26-001
Enterprise and Regulatory Reform Act 2013	L26-023
Janice Cockerill v CXK Limited, Arwise Community Partnership	L26-023

CHAPTER 27

CLAIMANTS: THE SELF-EMPLOYED, AGENCY WORKERS, AND INDEPENDENT CONTRACTORS

(a) The self-employed, agency workers, and independent contractors	27-001
(b) Defendants: vicarious liability for acts of a self-employed professional agent	27-007

FORMS

Intern slipping on polish or polished surface of walkway in office Workplace (Health, Safety and Welfare) Regulations 1992	F27-001
Intern slipping on polish or polished surface of walkway in office - Defence	F27-002
Mini-pupil tripping on part of model barn left on floor in library of barristers' chambers	F27-003
Mini-pupil tripping on part of model barn left on floor in library of barristers' chambers Defence	F27-004

MATERIALS

Management of Health and Safety at Work Regulations 1999, reg. 3:	L27-001
---	---------

<i>Index</i>	2377
--------------------	------