

Civil Case Law – Nebosh Diploma Syllabus A9.2

contributory negligence	Uddin v Associated Portland Cement Manufacturers Ltd [1965]
development of rule in Rylands v Fletcher; liability does not apply retrospectively in absence of foreseeability of harm	Cambridge Water Co v Eastern Counties Leather plc [1994]
difference between practicable and reasonably practicable	Marshall v Gotham & Co Ltd [1954]
discharge of duty to take reasonable care	Latimer v AEC Ltd [1953]
duty of common humanity in relation to trespassers	British Railways Board v Herrington [1971]
employer not liable where injury results from latent defect in tools or equipment (led to, and remedied by, Employer's Liability (Defective Equipment) Act 1969)	Davie v New Merton Board Mills Limited [1958]
employer's duty of care in relation to mental ill-health arising from excessive workload	Walker v Northumberland County Council [1995]
employer's duty to provide competent fellow employees; issue of horseplay at work	Hudson v Ridge Manufacturing Co Ltd [1957]
employer's duty to maintain work equipment	Barkway v South Wales Transport Co Ltd [1950]
employer's duty to protect employees from known and reasonably foreseeable danger; date of knowledge of risk	Thompson and others v Smiths Ship Repairers (North Shields) [1984]
employer's duty to provide necessary equipment	Bradford v Robinson Rentals Ltd [1967]
employer's duty to provide a safe place of work	Paine v Colne Valley Electricity Supply Company [1938]
employer's duty to provide a safe system of work	General Cleaning Contractors v Christmas [1952]
employer's duty to provide sufficient plant	Machray v Stewart and Lloyds Ltd [1964]
employer's duty to provide, and elements of, a safe system of work	Speed v Swift (Thomas) & Co Ltd [1943]
employer's Liability (Defective Equipment) Act 1969 extends to materials used at work	Knowles v Liverpool County Council [1993]
extent of common law duty of care of employer and non-delegable nature of duty owed.	Wilsons and Clyde Coal Co v English [1938]
extent to which employer may be held vicariously liable for negligence of contractor	Mersey Docks and Harbour Board v Coggins and Griffith (Liverpool) Ltd [1946]
higher duty of care expected of an experienced employee	Qualcast (Wolverhampton) Ltd v Haynes [1959]
higher duty of care owed to vulnerable employees	Paris v Stepney Borough Council [1951]
meaning of practicable	Adsett v K&L Steelfounders & Engineers Ltd [1953]
meaning of reasonably practicable	Edwards v National Coal Board [1949]
nature of absolute duty	Summers (John) & Sons v Frost [1955]
negligence of fellow employees re vicarious liability; joint tortfeasers and subrogation	Lister v Romford Ice and Cold Storage Co Ltd [1957]
non-application of volenti non fit injuria where aid given to co-employee or third party	Baker v T E Hopkins & Sons Ltd [1959]
reasonableness in relation to harm from stress at work	Sutherland v Hatton and others [2002]
self-employed workers may be regarded as employees	Ferguson v John Dawson and Partners Ltd [1976]
successful claim of tort of breach of statutory duty requires loss to be a consequence of the breach	Corn v Weirs Glass (Hanley) Ltd [1960]
the neighbour principle; reasonable care; duty of manufacturer to end user	Donoghue v Stevenson [1932]
tort relative to escape of stored materials	Rylands v Fletcher [1868]
vicarious liability of employer for acts of employee	Rose v Plenty [1976]
vicarious liability relative to an extreme act of horseplay	Smith v Crossley Brothers Ltd [1951]
volenti non fit injuria and sole fault of claimant as defences in employer liability cases	ICI v Shatwell [1965]