

Principles of Tort Law

Presenting the law of Tort as a body of principles, this authoritative textbook leads students to an incisive and clear understanding of the subject. Each tort is carefully structured and examined within a consistent analytical framework that guides students through its preconditions, elements, defences, and remedies. Clear summaries and comparisons accompany the detailed exposition, and further support is provided by numerous diagrams and tables, which clarify complex aspects of the law. Critical discussion of legal judgments encourages students to develop strong analytical and case-reading skills, while key reform proposals and leading cases from other jurisdictions illustrate different potential solutions to conundrums in Tort law. A rich companion website, featuring semesterly updates, and ten additional chapters and sections on more advanced areas of Tort law, completes the learning package. Written specifically for students, the text is also ideal for practitioners, litigants, policy-makers, and law reformers seeking a comprehensive and accurate understanding of the law.

Rachael Mulheron is Professor of Tort Law and Civil Justice at the School of Law, Queen Mary University of London, where she has taught since 2004. Her principal fields of academic research concern Tort law and class actions jurisprudence. She publishes regularly in both areas, and has frequently assisted law reform commissions, government departments, and law firms on Tort-related and collective redress-related matters. Professor Mulheron also undertakes extensive law reform work, previously as a member of the Civil Justice Council of England and Wales, and now as Research Consultant for that body. Prior to her academic career, Professor Mulheron practised as a litigation solicitor in Brisbane, Australia, both in general practice (as a trainee solicitor), and then predominantly in construction law.

Principles of Tort Law

SECOND EDITION

Rachael Mulheron

Queen Mary University of London



CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom
One Liberty Plaza 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India
79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.
It furthers the University's mission by disseminating knowledge in the pursuit of
education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/mulheron
DOI: 10.1017/9781108635226

© Rachael Mulheron 2020

This publication is in copyright. Subject to statutory exception
and to the provisions of relevant collective licensing agreements,
no reproduction of any part may take place without the written
permission of Cambridge University Press.

First published 2020


Printed in the United Kingdom by Clays, St Ives plc

A catalogue record for this publication is available from the British Library.

ISBN 978–1–108–72764–8 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of
URLs for external or third-party internet websites referred to in this publication
and does not guarantee that any content on such websites is, or will remain,
accurate or appropriate.








Summary Contents

Pages preceded by  indicate that the relevant content is locatable in the materials available at the Online Torts Hub (available at www.Cambridge.org/mulheron).

<i>Foreword to the First Edition</i>	xxiii
<i>Preface to the Second Edition</i>	xxv
<i>How to Use This Book</i>	xxvii
<i>Table of Cases</i>	xxix
<i>Table of Legislation</i>	lxi
<i>List of Abbreviations</i>	lxix
<i>Notes on Mode of Citation</i>	lxxiii

1 The Role of Modern Tort Law 1

PART I NEGLIGENCE

2 Duty I – General Principles Governing Duty of Care	35
Chapter 2 Online Content 	1
3 Duty II – Particular Duty Scenarios	122
4 Duty III – Pure Economic Loss	167
Chapter 4 Online Content 	12
5 Duty IV – Pure Psychiatric Injury	215
6 Breach I – The Standard of Care	288
Chapter 6a Online Content 	27
Chapter 6b Online Content 	29
7 Breach II – Proving Negligence	333
8 Causation of Damage	400
9 Remoteness of Damage	487
Chapter 9 Online Content 	31
10 Defences	514
Chapter 10a Online Content 	35
Chapter 10b Online Content 	49
11 Remedies	543

PART II SPECIFIC NEGLIGENCE REGIMES

- 12 Occupiers' Liability 581
- 13 Public Authority Liability 638
- AN Liability for Animals 73
- DP Defective Products 148
- EM Employers' Liability 215

PART III OTHER SELECTED TORTS

- 14 Trespass to the Person 685
 - Chapter 14 Online Content 54
- 15 Defamation 749
 - Chapter 15 Online Content 59
- 16 Private Nuisance 833
- 17 The Rule in *Rylands v Fletcher* 915
- HA The Statutory Tort of Harassment 250
- PR Privacy 316
- PU Public Nuisance 381
- SD Breach of Statutory Duty 418
- WD The Rule in *Wilkinson v Downton* 458

PART IV MISCELLANEOUS

- 18 Vicarious Liability 963
 - Chapter 18a Online Content 63
 - Chapter 18b Online Content 67
- BE The Beginning and End of Liability 114
- MD Multiple Defendants 288

Index 1011

Detailed Contents

Foreword to the First Edition xxiii
Preface to the Second Edition xxv
How to Use This Book xxvii
Table of Cases xxix
Table of Legislation lxi
List of Abbreviations lxi
Notes on Mode of Citation lxxiii

1 The Role of Modern Tort Law 1

What Is a Tort? 1
 The Range of Modern Torts in English Law 1
 Disparities among the Torts 8
 The Purposes of Tort Law 9
 Torts in Context 15
 Obtaining Monetary Compensation 15
 Concurrent Liability in Contract and in Tort 17
 The General Principle 18
 Tort Litigation 21
 Sources of Tort Law 21
 Costs Rules in Tort Litigation 22
 Strike-out Applications in Tort Litigation 24
 Torts and Death 26
 An Action by/against the Estate 26
 The Dependants' Action 28

PART I NEGLIGENCE

2 Duty I – General Principles Governing Duty of Care 35

Introduction 35
 The Framework for Negligence 35
 A Brief Historical Overview 36
 The Modern Duty of Care Tests 43
 The Three Approaches: General 43
 Assuming the Existence of a Duty of Care 48
 Reasonable Foreseeability of Harm (*Caparo* #1) 51
 General Principles 51
 Claimants Susceptible to Injury 57
 The Unborn Claimant 58

viii Detailed Contents

Proximity (<i>Caparo</i> #2)	62
Policy Factors (<i>Caparo</i> #3)	65
General Principles	65
Barristers (When Conducting Matters in Court)	1
Children (Young)	72
Doctors: 'Wrongful Conception' Claims	74
Doctors: 'Wrongful Birth' Claims	82
Emergency Services: Fire Brigade and Coastal Rescue Services	86
Emergency Services: The Ambulance Service	89
Parental Liability for Their Children's Negligence	6
Parental Liability to Their Children	10
Police	90
The 'Bad Samaritan'	101
Those Who Need Rescuing	106
The 'Good Samaritan'	108
Regulators/Inspectors/Certifiers	12
Sporting Contests: Referees, Participants, and Others	109
The Voluntary Assumption of Responsibility Test	111
Proving an Assumption of Responsibility	111
Proving Reliance	116
The Incremental Test	119
3 Duty II – Particular Duty Scenarios	122
Statutory Preclusions of a Duty of Care	122
A Mother's Immunity	122
'Wrongful Life' Claims	124
Failure-to-Warn Liability	128
Introduction	128
Inherent Risks	130
Objectively Significant Risks	131
Subjectively Significant Risks	139
Timings	142
Pure Omissions	142
The General Rule	142
Exceptional Scenarios	145
The Failure to Control, Supervise, or Detain Third Parties	148
Introduction	148
The Leading Cases	150
The Legal Analysis of the Leading Cases	154
4 Duty III – Pure Economic Loss	167
Introduction	167
Negligent Misstatement	169
Introduction	169
Framework	171
Reasonable Foreseeability of Economic Loss	172
The <i>Hedley Byrne, Caparo</i> , and Incremental Tests	173
The Bipartite Relationship	177
The Tripartite Relationship	179
The 'Victim' Scenario	187
Matters which Do <i>Not</i> Preclude a Duty of Care from Arising	193

ix Detailed Contents

Negligent Provision of Services	195
Introduction	195
Relevant Scenarios and Legal Reasoning	196
Pure Relational Economic Loss	206
The Scenario	206
The Governing Policy Reasons	207
Conclusion	212
A Comparative Perspective	212
Defective Buildings	12
Liability in Negligence	12
Liability under the Defective Premises Act 1972	19
5 Duty IV – Pure Psychiatric Injury	215
Introduction	215
Uncertainties and Problems	215
Pure versus Consequential Mental Injury	217
The Framework	218
Precondition #1: A Recognised Psychiatric Injury	220
The Threshold Principle	220
The Diagnostic Classifications	222
Precondition #2: The Type of Claimant	226
Primary Victims	227
Secondary Victims	236
The Elevated Primary Victim	239
Fear-of-the-Future Claimants	241
Residuary Claimants	242
Stress-at-Work Claimants	243
Conclusion	243
Primary Victim Claimants	244
Duty of Care Requirements	244
Other Features of Note	250
Secondary Victim Claimants	254
Duty of Care Requirements	254
Can C be <i>Both</i> ‘Primary’ and ‘Secondary’ Victim?	273
Elevated Primary Victim Claimants	275
Duty of Care Requirements	275
Fear-of-the-Future Claimants	277
Duty of Care Requirements	277
Residuary Claimants	279
Duty of Care Requirements	281
Stress-at-Work Claimants	283
Duty of Care Requirements	284
6 Breach I – The Standard of Care	288
Introduction	288
Reasonableness, not Perfection	288
No Average or Team Standard	290
An Objective Standard, Subject to Exceptions	290
The Impact (If Any) of D’s Characteristics	292
Specialism	292
Age	299
Disability (Physical or Mental)	302

x Detailed Contents

Inexperience	305
Parents, or in <i>Loco Parentis</i>	27
Gender	28
The Impact (If Any) of the Circumstances in which D is Operating	311
‘Agony of the Moment’ Scenarios	312
‘Diagnosis with a Focus’ Scenarios	316
Locality	316
Dangerous Recreational/Sporting Pursuits	318
Available Resources and Facilities	326
National versus Local Practices	29
7 Breach II – Proving Negligence	333
Introduction	333
The Framework	333
A Matter of Terminology	334
Preliminary Matters	335
The Test of Foreseeability	335
The Date for Assessing Breach	339
Ruling out ‘Inevitable Accidents’	342
Potential Dual Bases of Liability: Vicarious Liability and Systemic Breach	343
Testing Precautionary Steps against the Quadrant	347
The Quadrant of Factors	348
The Impact of the Compensation Act 2006, s 1	354
The <i>Bolam/Bolitho</i> Framework for Breach Analysis	359
The <i>Bolam</i> Test	359
The <i>Bolitho</i> ‘Gloss’	368
The Effect of the SARAH Act 2015	375
Where the <i>Bolam/Bolitho</i> Framework Does <i>Not</i> Apply	376
Other Potential Tests of Breach	381
Contravening Specific Duties of Care	381
Contravening Relevant Standards or Rules	382
Contravening the ‘Making It Worse’ Rule	382
The Doctrine of <i>Res Ipsa Loquitur</i>	384
Setting the Context	384
Raising (and Rebutting) the Doctrine	386
The Burden of Proof	391
Two Concluding Notes	393
What Does <i>Not</i> Prove Breach	394
D’s View, Pre-accident	394
An Expert Organisation’s Opinion	395
A Change of System, Post-Accident	395
Inherent Risks	396
Relevance of ‘Gross Negligence’	397
8 Causation of Damage	400
Introduction	400
Principles, with a Splash of ‘Common Sense’	400
A Note on Terminology	401
The Role of Policy	402
Pre-requisite: Proof of Compensable Damage	403
The <i>de Minimis</i> Threshold of Damage	403
The ‘Loss of a Chance’ Claim	408

xi Detailed Contents

The First Step: The Classic 'But-for' Test	408
The Importance, and Limits, of Probability	409
Legal Points about the Balance-of-Probabilities Assessment	413
Exception #1: 'Material Contribution to Risk'	416
The <i>McGhee/Fairchild</i> Scenario	417
The <i>Wilsher</i> Scenario	424
The Scope of the <i>McGhee/Fairchild</i> Exceptional Theorem	426
Apportionment of Damages	430
The 'Doubling the Risk' Theorem	436
The 'Hunting Cases'	438
Exception #2: 'Material Contribution to Damage'	439
The <i>Bonnington</i> Principle	439
A Comparison with the <i>McGhee/Fairchild</i> Principle	440
Conclusion	442
Exception #3: The <i>Bolitho</i> Causation Theorem	443
The Leading Case and Theorem Explained	443
Extending the <i>Bolitho</i> Causal Theorem to 'Out-of-House' Scenarios	446
Exception #4: The <i>Chester v Afshar</i> Causal Theorem in Failure-to-Warn Cases	447
The General Rule	447
The <i>Chester v Afshar</i> Exception	453
Intervening Acts in the Causal Chain	458
The Characteristics of an Intervening Act	458
The Effect of an Intervening Act	459
Particular Contexts	460
Subsequent Medical Treatment	467
Causation and 'Pure Omissions'	469
'Loss of a Chance' Claims	470
What 'Loss of a Chance' Means	470
In the Medical Negligence Context	471
In the Economic Context	476
Supervening Event #1: D2's Supervening Tort Damaged an Already-Damaged Claimant	478
Successive Tortfeasors	479
Judicial Reaction to the <i>Baker v Willoughby</i> Principle	482
Supervening Event #2: Non-tortious Reasons Would Have Led to the Same Damage	483
The Burden of Proof	485
The General Position	485
What if D Causes the Evidential Difficulty?	485
9 Remoteness of Damage	487
Introduction	487
What the Remoteness Enquiry Addresses	487
Framework for Analysis	488
The Kind or Type of Damage	489
From <i>Re Polemis</i> to <i>Wagon Mound</i>	489
The Meaning of 'Reasonable Foreseeability'	490
Exception to the Requirement of Reasonable Foreseeability	497
The Position of 'Egg-Shell Skull' Claimants with Pre-existing Vulnerabilities	499
The 'Normal Fortitude' Rule	499
The 'Egg-Shell Skull' Rule	500
The 'Scope of Duty' Enquiry	503
A Further Control Mechanism	503
The <i>SAAMCO</i> Principle	507
Failure-to-Warn Scenarios	510

xii Detailed Contents

- Too Many Causal Links 511
- Policy: A 'Final Arbiter' 512
- Miscellaneous 31
 - Continued Relevance of the *Re Polemis Test* 31
 - Remoteness of Damage: Negligence versus Breach of Contract 32

- 10 Defences 514**
 - Introduction 514
 - Contributory Negligence 515
 - Preliminary Matters 515
 - The Elements 519
 - The Doctor–Patient Context: A Policy 524
 - Voluntary Assumption of Risk (*Volenti*) 526
 - What *Volenti* Means 526
 - The Elements 527
 - Miscellaneous Issues 533
 - Illegal Purpose (*Ex Turpi Causa Non Oritur Actio*) 35
 - Two Forms of the Defence 35
 - Preliminary Matters 37
 - The Narrow Version of the Defence 39
 - The Wide Version of the Defence 42
 - Therapeutic Privilege 535
 - Where It Applies 535
 - The Elements 536
 - Exclusionary Clauses 49
 - The Terminology of the Typical Clause 49
 - The UCTA Effect 50
 - The Motor Insurers' Bureau Exclusion Clause 51
 - Necessity 540
 - The Scope 540
 - The Elements 541

- 11 Remedies 543**
 - Introduction 543
 - Compensatory Damages 544
 - Pecuniary versus Non-Pecuniary Damages 545
 - The Conventional Sum 551
 - Heads of Damage Available to the Estate 552
 - Heads of Damage Available to Dependants under the FAA 556
 - Bereavement Damages 565
 - Aggravated Damages 567
 - Non-availability for Negligence 567
 - Exemplary Damages 569
 - The Position in English Law 569
 - Practical Problems 571
 - Policy Objections 574
 - Nominal Damages 576
 - Restitutionary Damages 577
 - Meaning and Policy Goals 577
 - Distinction between Proprietary and Non-proprietary Torts 578

PART II SPECIFIC NEGLIGENCE REGIMES

12 Occupiers' Liability 581

- The Cause of Action Defined 581
 - Where the Statutes Are Not Applicable 582
 - Employees Who Are Visitors to an Occupier's Site 582
 - The Framework 584
- Pre-requisites for the Legislation to Apply 585
 - Precondition #1: An 'Occupier' 585
 - Precondition #2: 'Premises' to which the Legislation Applies 588
 - Precondition #3: The Type of Danger Posed by the Premises 593
- Which Act Applies? 596
 - Visitors versus Trespassers 597
 - Downgrading a 'Visitor' to Trespasser Status 598
 - Upgrading a 'Trespasser' to Visitor Status 601
- Visitors under the Occupiers' Liability Act 1957 603
 - A Duty of Care towards a Visitor 603
 - The Requisite Standard of Care 605
 - Proving Breach 609
 - Causation/Remoteness 627
- Trespassers under the Occupiers' Liability Act 1984 628
 - A Duty of Care towards a Trespasser 629
 - Setting the Standard of Care and Proving Breach 632
- Defences 634
 - Contributory Negligence 634
 - Acts of Strangers 635
 - Volenti* 635
 - Exclusion by Agreement or Otherwise 636
- Remedies 637

13 Public Authority Liability 638

- Introduction 638
 - Direct versus Vicarious Liability 639
 - Ancillary Causes of Action 639
 - The Framework 640
- Pre-requisite Legal Issues 640
 - The *East Suffolk* Principle 640
 - The Policy versus Operational Distinction 646
 - The 'Pure Omissions' Principle 647
- Establishing a Duty of Care 649
 - The 'Making It Worse' Principle 649
 - Assuming Responsibility for C, rather than for 'the Common Good' 650
 - The *Caparo* Framework 655
 - An Incidental Duty of Care 675
- Impact of the ECHR 675
 - Paths Worn to the ECtHR 675
 - The Article 6 Problem 676
 - The Strike-out Problem 678
 - Amending the Common Law to Fit with the ECHR? 679
- Unenacted Law Reform 681

xiv Detailed Contents

AN Liability for Animals 73

Introduction 73

The Two Relevant Causes of Action 73

The Balancing Exercise for Damage Done by Animals 75

Negligently Caused Injuries by Animals 76

Duty of Care 77

Breach of Duty 77

Causation 81

Remoteness 82

Defences to Negligence 82

The Problem of Straying Animals 83

Statutory Cause of Action under the Animals Act 1971 84

Pre-requisites 85

Animals Belonging to a Dangerous Species 88

Animals Belonging to a Non-dangerous Species 89

The Flawed Implementation of Parliamentary Intention under s 2? 100

Dogs which Do Damage to C's Livestock or Property 102

Damage Done by D's Straying Livestock 102

Remoteness 105

Statutory Defences for D's Liability under s 2 107

Statutory Defences for D's Liability under s 3 112

Statutory Defences for D's Liability under s 4 or s 4A 112

DP Defective Products 148

Introduction 148

An Action in Negligence 150

The Framework 150

The Rationale of *Donoghue v Stevenson* 151

Preliminary Matters 152

Precondition #1: No Damages for the Defective Product Itself 152

Precondition #2: The Defective Thing Is an Appropriate Product 157

Precondition #3: Capacity of D to Be Sued 158

Liability in Negligence: Elements 160

Element #1: Duty of Care 160

Element #2: Establishing the Standard of Care and Proving Breach 171

Element #3(a): Causation 177

Element #3(b): Remoteness 179

Defences and Remedies 180

Actions under the Consumer Protection Act 1987 183

Implementation of the European Product Liability Directive 183

The Key Provision 184

The Framework 185

Preliminary Matters 186

Precondition #1: No Damages for the Defective Product Itself 186

Precondition #2: The Product is Covered by the CPA 186

Precondition #3: Limitation Period 188

Precondition #4: Capacity to Sue and to Be Sued 190

Liability under the CPA: Elements 192

Element #1: A Defect in the Product 192

Element #2: The Defect Wholly or Partly Caused D's Damage 199

Element #3: Relevant Damage Suffered by C 204

Statutory Defences under the CPA 206

Compliance with Mandatory Regulations 207

Not Put into Circulation 207

xv Detailed Contents

- Providing the Goods in a Private Capacity 207
- Defect Non-existing 208
- The 'Development Risks Defence' 209
- The Defect Was Attributable to the Design of a Subsequent Product 213
- Contributory Negligence 213
- Volenti* 213
- EM Employers' Liability** 215
 - Introduction 215
 - Various Causes of Action 215
 - The Difference between Personal Liability and Vicarious Liability 217
 - Direct Liability: Common Law Duties in Negligence** 219
 - The Quartet of Duties 219
 - Breach of Duty 229
 - Causation and Remoteness 233
 - When the Duties Apply 235
 - Strict Liability: Statutory Deemed Negligence** 237
 - Direct Liability: Breach of Statutory Duty** 240
 - The 2013 Reforms 241
 - The Way forward? 246
 - Direct Liability: Non-delegable Duties re Independent Contractors** 247
 - The General Rule 247
 - The Caveat 249

PART III OTHER SELECTED TORTS

- 14 Trespass to the Person** 685
 - Introduction 685
 - Trespasses versus Actions on the Case 685
 - Ancillary Actions 687
 - Assault and Battery** 688
 - The Framework 688
 - Elements of Battery 689
 - Elements of Assault 695
 - False Imprisonment** 698
 - Definition 699
 - Element #1: A Constraint 700
 - Element #2: The Requisite Intent 705
 - Element #3: Causation 706
 - Defences** 711
 - Consent 711
 - Necessity 719
 - Prevention of Crime, Disorder or Ill-Discipline 728
 - Self-Defence 732
 - Contributory Fault 734
 - Provocation 737
 - Remedies** 739
 - Compensatory Damages 739
 - Aggravated Damages 742
 - Exemplary Damages 744
 - Vindictory Damages 746
 - Miscellaneous Issues** 54
 - An Art 5 Claim 54
 - Vicarious Liability 56

xvi Detailed Contents

Limitation Periods 58
 An Action by the Deceased's Estate 58

15 Defamation 749

Introduction 749

Framework for the Tort 749
 The Tensions and Complexities in Defamation 750
 Ancillary Actions 752

Pre-requisites 752

Precondition #1: Establishing Libel or Slander 752
 Precondition #2: The Matter Is Justiciable 759
 Precondition #3: Proof of a 'Real and Substantial Tort' 761
 Precondition #4: Capacity of C to Sue 766

Element #1: A Defamatory Imputation 769

Ascertaining the Meaning 769
 Whether the Imputation is Defamatory 772
 Focusing on the Reasonable Reader/Listener 778
 The 'Bane and the Antidote' 780
 Intent 782

Element #2: Identification 783

General Principles 783
 Problematical Scenarios 783
 Group Defamation 787

Element #3: Publication 788

When Publication Occurs 788
 About the Publishee 790
 Publication and the Internet 791

Honest Opinion (Fair Comment) 795

A Statement of Opinion (Not a Statement of Fact) 796
 The Basis of the Opinion 798
 Honest Opinion, Based on an Existing Fact, or a Privileged Statement 799
 Absence of Malice 801

Truth (or Justification) 802

An Imputation of Fact 803
 Substantially True 803

Peer-Reviewed Statements in Scientific or Academic Journals 806

Innocent Dissemination 807

At Common Law 807
 Statutory Defence for Secondary Publishers 808
 Operators of Websites 810

'Public Interest' Privilege (Formerly, the *Reynolds* Defence) 810

General Matters re *Reynolds* 811
 A Matter of Public Interest 812
 An Objective Reasonable Belief 816
 Fact or Opinion 817

Qualified Privilege 818

Common Law Qualified Privilege 818
 Statutory Qualified Privilege 821

Reportage 822

Neutral Reporting 823
 Legitimate Public Interest 823

xvii Detailed Contents

Absolute Privilege	824
Consent and Acquiescence	825
An Offer of Amends	826
Remedies	827
Damages	827
Declaration of Falsity	831
Injunctive Relief	831
Order to a Newspaper to Publish Report	832

16 Private Nuisance 833

Defining the Cause of Action	833
The Framework	833
The Costs of Litigation	835
Pre-requisites for the Tort	835
Precondition #1: Capacity of C to Sue	835
Precondition #2: Capacity of D to Be Sued	842
Precondition #3: The Threshold Principle	848
Element #1: An Interference with Use and Enjoyment of Land	850
Types of Interference	850
Isolated Interferences versus a State of Affairs	856
Emanation	858
Element #2: An Unreasonable User	861
General Points	861
Application to 'Physical Interference' Nuisances	862
Relevant Factors for the Balancing Exercise	863
'Coming to the Nuisance'	872
The Role of Negligence	874
Element #3(a): Causation	880
Damage to Land/Interest in Land	880
The 'But-for' Test	881
Element #3(b): The Damage Is Not Too Remote	882
Type of Damage	882
The Exclusionary Rule	884
Abnormal Sensitivity	887
Defences	889
Statutory Authorisation	889
A Right of Prescription	894
The Independent Contractor/Non-delegable Duty Defence	896
The 'Common Enemy' Doctrine	897
Estoppel by Acquiescence	897
Acts of God	898
Contributory Negligence/ <i>Volenti</i>	898
Remedies	899
Compensatory Damages	899
Injunctive Relief	906
Damages in Lieu of an Injunction	909
Abatement	911
The Impact of the Human Rights Act 1998	912
Proof of a Violation	912
Damages under the HRA	913

xviii Detailed Contents

- 17 The Rule in *Rylands v Fletcher*** 915
- Defining the Rule 915
 - Putting the Rule into Context 916
 - A Strict Liability Tort – but in a Limited Sense Only 916
 - A Brief History of the Rule 918
 - Pre-requisites 921
 - Precondition #1: Capacity of C to Sue 921
 - Precondition #2: Capacity of D to Be Sued 922
 - Element #1: The Escape of a Dangerous Thing 923
 - 'Things' which have Escaped 923
 - An 'Escape' is Necessary 925
 - The Mischief or Danger Test 929
 - What D Must Know or Have Reasonably Foreseen 930
 - Intentional versus Accidental Escapes 932
 - Element #2: Deliberate Accumulation 933
 - Element #3: A Non-natural User of the Land 934
 - A Dramatic Change over Time 934
 - The Modern Articulation and Application of the Test 935
 - Elements #4(a) and #4(b): Causation and Remoteness 942
 - Defences 944
 - Act of God 944
 - Act of *Vis Major* 945
 - Act of a Stranger 945
 - Consent (including Common Benefit) 948
 - Statutory Authorisation 949
 - Volenti*/Contributory Negligence 949
 - Miscellaneous 949
 - Relationship with other Actions 949
 - Should the Rule in *Rylands v Fletcher* be Retained? 952
 - Remedies 955
 - Escape of Fire: Statutory Regime 955
 - Reason for the Act 956
 - Protection Lost through Negligence 956
 - Interplay of s 86 with *Rylands v Fletcher* 958
 - HA The Statutory Tort of Harassment** 250
 - Defining the Cause of Action 250
 - Background to, and Application of, the Act 250
 - The Framework 252
 - The Elements of the Statutory Tort 253
 - Element #1: A Course of Conduct by D Amounting to Harassment 253
 - Element #2: Targeted Conduct 262
 - Element #3: Actual or Constructive Knowledge 263
 - Element #4: Objectively Oppressive and Unacceptable Behaviour 267
 - Element #5: The 'Ultimate Balancing' Test under the ECHR 268
 - Element #6: Causation 270
 - Matters which Are Not Elements of the Statutory Tort 272
 - Defences 273
 - Prevention or Detection of Crime 273
 - Pursuant to an Enactment or Rule of Law 278
 - A Reasonable Course of Conduct 278

xix Detailed Contents

Remedies	279
Damages under the Act	279
Injunctive Relief	282
The Relevant Parties	282
Harassment of a Corporation	282
The Appropriate D in Harassment Cases	285
PR Privacy	316
Introduction	316
The Framework	316
Is It a Tort?	317
Setting the Context	318
No Generalised Tort of Privacy	318
The Impact of the HRA 1998	321
Breach of Confidence Action – Stretched to Breaking Point?	324
Pre-requisites before Commencing a Privacy Action	328
Precondition #1: Proof of a ‘Serious Infringement’	328
Precondition #2: Capacity of the Corporate C to Sue	329
Element #1: Proof of Private Information	331
Identifying the Private Information	332
Proving a Legitimate Expectation of Privacy	338
How a Legitimate Expectation to Privacy Can Be Lost	342
Element #2: The ‘Ultimate Balancing Test’ Favours the Claimant	345
Element #3: Publication, or other Misuse	362
Element #4: Compensable Harm	362
Defences	363
Possible Defences (Already Considered)	363
Contributory Negligence	363
Self-Help Remedy	364
Remedies	365
Delivery-up	365
Damages	365
Injunction	372
Statutory Intervention	379
PU Public Nuisance	381
Introduction	381
An Inconsistent Definition	381
The Framework	382
Pre-requisites for the Tort	384
Precondition #1: The Capacity of C to Sue	384
Precondition #2: The Capacity of D to Be Sued	387
Precondition #3: The Threshold Principle	388
Element #1: An Actionable Interference	390
Types of Public Nuisance	390
Matters which Are Not Relevant to Proving an Actionable Interference	396
Element #2: Knowledge or Foreseeability	397
The General Rule	397
The Exception	399
C’s Fear of Danger	400

xx Detailed Contents

- Element #3: An Interference Affecting the Public (or a Section of It) 400
 - A Common Injury to a Section of the Public 400
 - The Numbers Affected by the Common Injury 402
- Element #4: The Interference Caused 'Special Damage' 404
 - The Requirement of 'Special Damage' 404
 - The But-for Test 406
- Defences 407
 - Statutory Authorisation 407
 - What If C 'Comes to the Nuisance'? 408
- Remedies 408
 - Damages 408
 - Injunction 411
 - An Undertaking 413
 - Account of Profits 413
 - Statutory Compensation 414
- Miscellaneous Issues 415
- SD Breach of Statutory Duty 418**
 - Introduction 418
 - The Framework 420
 - Relationship with Common Law Negligence 420
 - Preliminary Matters 422
 - Precondition #1: No Legislative Ousting 422
 - Precondition #2: Appropriate Territorial Application 423
 - Elements of the Tort 424
 - Element #1: A Statutory Duty on D 424
 - Element #2: Parliamentary Intention to Confer a Civil Right of Action 427
 - Element #3: For the Benefit of a Particular Class 435
 - Element #4: Breach of Duty 443
 - Element #5: Causation 447
 - Element #6: Relevant Type of Loss 449
 - Defences 451
 - Contributory Negligence 451
 - Volenti* 452
 - Breach of European Statutory Law 453
 - Miscellaneous 455
 - Law Reform 455
 - Other Theories of Liability Arising from a Statutory Breach 456
- WD The Rule in *Wilkinson v Downton* 458**
 - Introduction 458
 - A Brief History of the Rule 458
 - The Framework 460
 - Precondition: The Requisite Harm 460
 - Physical Injury 461
 - A Recognised Psychiatric Injury 461
 - Elements of the Tort 466
 - Element #1: The Requisite Act that Does the Harm 466
 - Element #2: The Requisite Intention 469
 - Element #3(a): Causation 471
 - Element #3(b): Remoteness 472
 - Remedies 473

PART IV MISCELLANEOUS

18 Vicarious Liability 963

Introduction 963

The Vicariously Liable Employer: Some General Concepts 963

The Role of the Wrongdoing Employee in Vicarious Liability 968

Rationales for Vicarious Liability 970

Strict (No-Fault) Rationales 971

Fault-Based Rationales 972

First Stage: The 'Relationship' Limb 974

Employee, 'Akin to Employee', or Independent Contractor? 975

Is the Employee on Loan to Another Employer? 981

Dual Vicarious Liability 986

Second Stage: The 'Connection' Limb 990

The Relevant Tests 990

Some Difficult Scenarios 995

Exceptional Cases: An Employer *Can* Be Vicariously Liable for the Torts of Its

Independent Contractor 1003

Ratification or Authorisation 1004

Negligent Selection 1004

Non-delegable Duties of Care 1006

Borrowing Employees from the Independent Contractor 1010

Miscellaneous Matters 63

Vicarious Liability and Exemplary Damages 63

Where the Employee Assists Another to Commit a Tort 65

Impact on Defences 66

Vicarious Liability in Non-employment Relationships 67

Where Vicarious Liability May Arise 67

Problematical/Unsuccessful Legal Relationships 70

BE The Beginning and End of Liability 114

Introduction 114

Accrual of the Cause of Action 115

The General Rule 115

A Lack of Knowledge, but Reasonable Discoverability 116

Limitation Periods 126

General Points 126

The Applicable Time Limits 128

Matters which Stop the Limitation Period from Running 125

Extension of the Limitation Period for Personal Injury Claims 130

The Problem of Choosing the 'Right' Cause of Action 134

The Interaction between the ECHR and Limitation Periods 138

When Liability Ceases Due to Preclusive Effects 139

Cause of Action Estoppel 139

Issue Estoppel 141

Merger in Judgment 142

Extended Principle of *Res Judicata* 143

Doctrine of Accord and Satisfaction 145

Set-off 146

MD Multiple Defendants 288

Introduction 288

xxii Detailed Contents

Suing Multiple Defendants: Joint, Several, and Proportionate Liability	288
Key Concepts	288
Joint Tortfeasors	291
Several Concurrent Tortfeasors	293
Independent Tortfeasors	298
The Right to Contribution among Multiple Defendants	299
The Relevant Statutory Provisions	299
Background to the 1978 Act	301
The Principles Governing 'Just and Equitable' Apportionment	303
Suing Multiple Defendants in Successive Actions	308
Judgment Obtained against D1, with Successive Action against D2	308
Some Background to the Statutory Provisions	309
The Problem of Subsequent Action/s after a Settlement between C and D1	310
 <i>Index</i>	 1011

Foreword to the First Edition

There are few areas of the law which are as rewarding to study and have as practical an impact on our daily lives as, to borrow from Professor Mulheron, the ‘motley bunch of causes of action which fall within English Tort law’! Not only does detailed study provide an in-depth insight into the development of the common law and of the incremental, precedent-based, common law method in action; it also raises challenging questions of principle. Questions concerning the role that Tort law plays in our legal system and wider society, the extent to which the law should impose liability for harm on individuals and the circumstances when it should do so, and whether it is underpinned by an overarching principle or by a variety of principles remain matters of interest and debate. And, from a practical perspective, the boundaries of Tort law help to shape the contours of everyday life. Whether we consider the steps manufacturers must take to ensure that their products are safe for sale or – as in *Donoghue v Stevenson* – consumption, the steps that professionals, such as doctors or lawyers, must take to treat their patients or advise their clients appropriately, or that employers must take to secure the safety of their workers, the law of Tort provides the framework.

In this new book, *Principles of Tort Law*, Professor Mulheron, drawing on her extensive experience of the field both in practice in Australia and teaching Tort law at Queen Mary University of London, provides a clear, detailed, and challenging account of the law of Tort. By utilising the method taken by the American Law Institute in its famous Restatements of the Law of Tort – statement of principle followed by detailed exegesis drawing on relevant case law, statutory provision, and, where relevant, comparative jurisprudence – she presents a meticulous analysis in a thoroughly accessible manner. This work is a most welcome contribution to the field – one that will be of great benefit to students, practitioners, academics, and judges, and to anyone interested in gaining a proper understanding of the fundamental nature of this central part of the law. I cannot commend it highly enough.

The Right Honourable Lord Dyson

Master of the Rolls

Cambridge University Press
978-1-108-72764-8 — Principles of Tort Law
Rachael Mulheron
Frontmatter
[More Information](#)

Preface to the Second Edition

This book aims to do what it ‘says on the tin’ – to state the corpus of Tort law as a body of principles. Tort lawyers commonly talk of ‘the principles of Tort’, and yet, when examining case after case, that ethos can easily become lost among factual distinctions, common law complexities, statutory interventions, and appellate cases which frequently contain multiple judgments of differing ratio.

My interest in writing a book which addresses this area of law as a set of principles, with an in-depth underlying analysis, was motivated by four influences:

- i. Teaching undergraduate Tort students has enriched my understanding of just how important it is to delve into and isolate the principles which we, as academics, seek to convey to those students who are encountering the subject for the first time. Questions such as, ‘When should we use *Bolam* and when should we use *Bolitho*?’, ‘Is *Donoghue v Stevenson*’s ratio still relevant?’, ‘Is the test of foreseeability the same for duty of care, breach, and remoteness?’, and literally hundreds of similar queries and discussion points, have been an important genesis for this book.

It is intended that this text will, primarily, have utility to the student who is studying Tort law. Students may take on board some of the principles per chapter and omit others, in accordance with the depth and direction of study being undertaken. The book has been written in a style that incorporates presentational tools to assist the student in their studies, by employing frameworks for analysis per chapter, tables of legal analysis, diagrammatic depictions of the parties’ relationships in leading cases, boxes illustrating comparative judicial reasoning, and the like.

- ii. While in legal practice, I was frequently engaged in Tort litigation, and came to realise that exposition of principle in concise but in-depth treatment, is the nadir of what this area of the law should seek to achieve. After all, Tort law is there to serve society in all of its guises, to enable claimants to seek (usually compensatory) redress for their grievances, and to provide defendants with a logical set of defences to such actions. Its complexity and (occasional) opaqueness should not obscure the fact that the law should be capable of being understood by ‘the reasonable person on the London Underground’ (an identity of such importance in Tort law!).
- iii. The subject matter of Tort law is undeniably interesting, and very relevant to everyday life, and hence, a work that seeks to espouse the principles of Tort will be of interest to a wider readership than the student body to which it is principally directed. Notably, it is envisaged that this book will also have utility for those audiences (e.g., judiciary, legal practitioners, legislators, and

xxvi Preface to the Second Edition

academics) who are already familiar with Tort law, but who are grappling with particular issues and points of complexity associated with distinct principles.

- iv. Lastly, one of the key features of Tort law is the extent to which legal and public policy influences and informs the development of jurisprudence in this area. While it is called a set of ‘principles’, much discussion surrounding Tort law is directed to what the law *should* be – and an explicit acknowledgement and elucidation of that fact is one of the driving interests which motivated the writing of this book. For this reason, the opinion of key law reform commissions is canvassed in those areas in which, for policy reasons, those commissions suggested that the law should perhaps change. Occasionally, comparative vignettes are also referenced in chapters, to show how similar problems in Tort law can yield differing solutions, depending upon differing judicial (or legislative) attitudes in other jurisdictions.

It is an ancillary aim of the book to promote and activate a debate, among policy-makers, reformers, judiciary, and academics, about the utility of a *Restatement*-type project of English Tort law. I do not envisage that Tort law should be codified, in the sense that a ‘blank sheet of paper’ should be the starting point of Tort law for this jurisdiction. Rather, the depth and nuances of the common law of Tort (with occasional statutory enactments), and the jurisprudence generated over its long and distinguished history, are worth preserving in all of their grand complexity. However, as the analysis in this book demonstrates, there are pockets of uncertainty, of unsettled law, of appellate judgments which differ and where ‘the circle cannot be squared’, and of law reform proposals which remain unenacted. The text of principles and analysis undertaken herein could serve as a useful reference point for a future *Restatement* project, should that be considered desirable.

Since the first edition of this work, there have been notable developments in several areas of Tort law, *viz*, in defamation law, in the analysis of a duty of care, and in the law of vicarious liability. Some unsettled principles have also become more certain in the field of negligently inflicted psychiatric injury since the first edition was written. Both principles and text have been revised to take account of these developments.

Finally, I would like to convey my thanks to the copyediting and typesetting team at Cambridge University Press and associated entities for providing valuable editorial and other assistance in order to bring this second edition of the book to fruition.

The ongoing development of Tort law, particularly in case law, is inevitable and under constant review. To the best of my knowledge, the law is stated as at 30 July 2019, although some reference to later 2019 cases has been possible during the final preparation of the manuscript.

Rachael Mulheron

How to Use This Book

Print and Online Chapters

Principles of Tort Law is composed of twenty-eight chapters in total, eighteen of which are print chapters and a further ten of which are available as online chapters at the accompanying Online Torts Hub (available at www.Cambridge.org/Mulheron).

The print chapters focus upon those particular areas which tend to arise commonly in Tort curricula in England and Wales. In addition to a detailed consideration of the Tort of negligence the print chapters also cover particular manifestations of negligence (*viz*, the Occupiers' Liability Act regimes, and the law associated with public authority liability) and some separate Torts altogether (*viz*, defamation, private nuisance, the rule in *Rylands v Fletcher*, and the Torts encompassed by trespass to the person). Vicarious liability, a strict liability doctrine which forms an important part of the modern Tort law curriculum, is also included as a print chapter.

The online chapters, on the other hand, deal with torts, or issues arising from Tort law, which do not feature as commonly in Tort curricula but which nevertheless may arise for student consideration from time to time. Of course, some Tort curricula do incorporate the study of particular manifestations of negligence, such as the statutory regimes enacted for defective products and for damage caused by animals, and also consider wider Torts such as public nuisance, privacy or the statutory tort of harassment. The online chapters fully cater for that type of Tort curriculum. Additionally, the often tricky concepts associated with multiple defendants in Tort and the issues to do with when a tortious cause of action 'accrues', limitation periods, and when a defendant's liability in Tort ends are also dealt with in the online chapters. The online content may also assist students who are studying aspects of Tort law as part of other law modules (such as media law, public authorities and the law, or medical negligence law), or who are studying such issues for the purposes of mootings, writing research essays, legal advice clinic work, and the like.

Occasionally, a section of a print chapter has been excised from that chapter and is available online. For example, some of the categories of defendants for whom a duty of care has been a legal issue (e.g., barristers, parental liability for their children's negligence, parental liability to their children, and regulators/inspectors/certifiers) are contained in Chapter 2 as online content only.

The System of Principle Numbering

The numbering of the print chapters follows sequentially throughout the book, from Chapter 1, 'The Role of Modern Tort Law', to Chapter 18, 'Vicarious Liability'. The online chapters appear in the Table of Contents – and, for the convenience of readers, their content is also included in the Tables of Cases and Legislation.

The principles in the print chapters adopt the numbering of the particular chapter, so that each principle has a unique identifier. For example, for Chapter 8, 'Causation of Damage', the principles commence at §8.1 and follow sequentially throughout the chapter until the final principle of that chapter, §8.35.

The principles in the online chapters adopt their numbering from an acronym of the particular chapter, so that, again, each principle has a unique identifier. For example, the twelfth principle in each of the online chapters is designated as follows: SDP.12 for the 'Defective Products' chapter; SAN.12 for the 'Liability for Animals' chapter; SEM.12 for the 'Employers' Liability' chapter; SSD.12 for the 'Breach of Statutory Duty' chapter; SHA.12 for the 'Statutory Tort of Harassment' chapter; SWD.12 for 'The Rule in *Wilkinson v Downton*' chapter; SPR.12 for the 'Privacy' chapter; SPU.12 for the 'Public Nuisance' chapter; SMD.12 for the 'Multiple Defendants' chapter; and SBE.12 for the 'Beginning and End of Liability' chapter.

Where, within a print chapter, a small section of the chapter is available online, the principles in that online-only section use a separate referencing system, whereby the principle adopts the chapter number, but uses an alphabetical identifier. For example, as noted above, Chapter 2 is a print chapter, but contains some small sections of online content. For the first online section in that chapter concerning 'Barristers', the principle in that section is numbered as §2.A. The next online section in that chapter concerns 'Parental Liability for Their Children's Negligence', in which the relevant principles are numbered as §2.B and §2.C. The next online principle in Chapter 2 is under the section 'Parental Liability to Their Children' and is numbered as §2.D.

Hence, each principle in the book, whether contained in the print chapters or the online chapters, has a unique identifier which directs the reader to its precise location.

The System of Page Numbering

As mentioned above, the online chapters appear in the Table of Contents – and, for the convenience of readers, their content is also included in the Tables of Cases and Legislation. The online content of the book is paginated sequentially from 1 to 476, as evident from the materials available at the accompanying Online Torts Hub.











Hence, in the Table of Contents, Table of Cases, Table of Legislation, and Index, an entry appearing at, say, p 20 of the print book will be designated merely as '20', whereas an entry appearing at p 20 of the online part of the book will be designated as  20 to signify that it is to p 20 of the online content that a reader must refer.

Table of Cases

The full citation of each case is locatable at the corresponding page reference which appears in the table below. Pages preceded by  indicate that the relevant case is locatable in the materials available at the Online Torts Hub (available at www.Cambridge.org/Mulheron).

- 199 Knightsbridge Development Ltd v WSP UK Ltd (2014), 378
- A (a child) v MOD (2004),  223, 344
- A (a minor) v A Health and Social Services Trust (2010), 60
- A (Children) Re (2000), 723
- A (Children) (2018), 416
- A (Male Sterilisation), Re (2000), 720
- A v B plc (2002),  328,  330,  361
- A v Bottrill (2002), 569, 572, 573, 576
- A v East Kent Hosp Univ NHS Foundation Trust (2015), 133
- A v Essex CC (2003), 231, 244, 669
- A v Essex CC (2004), 45
- A v Hoare (CA 2006, HL 2008),  61,  136,  139,  140,  461,  465, 991
- A v National Blood Authy (2001),  152,  153,  175,  186,  187,  190,  193,  194,  197,  199,  200,  204,  208,  210,  211,  212,  214,  217
- A v Watchtower Bible and Tract Socy (2015), 980
- AAA v Associated Newspapers Ltd (HC 2012, CA 2013),  336,  337,  345,  347,  349,  351,  356,  357,  360,  380
- AAA v Blackwell (1996), 574
- AB, Re (2019), 728
- AB v British Coal Corp (2004),  310
- AB v Home Office (2012),  456,  457
- AB v Leeds Teaching Hosp NHS Trust (2004), 7, 240–42, 251, 252, 257, 275–77, 369, 372,  471, 525, 536
- AB v Main (2015), 73
- AB v MOD (the Atomic Veterans case) (2012),  121,  122,  123,  124,  125,  126,  129,  134,  135, 442
- AB v MOJ (2014), 576
- AB v Nugent Care Socy (formerly Catholic Social Services (Liverpool)) (HC 2006, CA 2009),  134,  138, 344, 741
- AB v South West Water Services Ltd (1993),  190,  476, 568, 570, 575, 745
- AB v Tameside & Glossop HA (1997), 377
- Abbott v Dunster (1954), 594
- ABC v St George's Healthcare NHS Trust (HC 2015, CA 2017), 120, 144, 163, 164
- Abertawe Bro Morgannwg University Local Health Board v RY (2017), 726
- Abouzaïd v Mothercare (UK) Ltd (2000),  152,  153,  161,  163,  175,  178,  188,  190,  194,  196,  197,  201,  207,  215,  216, 337, 340, 348
- Abramova v Oxford Institute of Legal Practice (2010), 361
- Abu v MGN Ltd (2002), 826, 828
- A'Court v Cross (1825),  129
- A Clinical Commissioning Group v P (Withdrawal of CANH) (2019)
- AD v Bury MBC (2006), 224, 668, 669
- Adams v Bracknell Forest BC (2004),  123
- Adams v Rhymney Valley DC (2001), 298, 299, 361, 362, 366, 370
- Adams v Ursell (1913), 867, 907
- Addis v Campbell (2011),  79,  81,  83
- Adsett v K&L Steelfounders and Engineers Ltd (1953),  449
- ADY v MYY (1994), 702, 730
- Aercap Partners 1 Ltd v Avia Asset Management AB (2010), 471
- Aerostar Maintenance v Wilson (2012), 2
- AG of British Virgin Islands v Hartwell (2004), 54, 98, 338, 339, 967, 968, 1002
- AG of Trinidad and Tobago v Ramanoop (2005), 747
- AG v Blake (2001),  417
- AG v Corke (1933), 924, 925, 936, 938, 941

xxx Table of Cases

- AG v Corp of Nottingham (1904), 403
 AG v Cory Bros and Co Ltd (1921), 924, 926
 AG v Gastonia Coaches Ltd (1977), 395, 419
 AG v Geothermal Produce (NZ) Ltd (1987), 920
 AG v Guardian Newspapers Ltd (1990), 322, 332, 346, 358, 363
 AG v Manchester Corp (1893), 415
 AG v Newspaper Publishing plc (1988), 378
 AG v Punch Ltd (2003), 378
 AG v PYA Quarries Ltd (1957), 384, 389, 397, 398, 400, 405, 406, 857
 AG v Rathmines and Pembroke Joint Hospital Board (1904), 415
 AGC Chemicals Europe Ltd v Stop Huntington Animal Cruelty (SHAC) (2010), 288
 Agouman v Leigh Day (a firm) (2016), 367
 Ahern v Moore (2013), 78
 Ahuja v Politika Novine 1 Magazini DOO (2015), 760
 Airedale NHS Trust v Bland (1993), 714, 716, 721, 722, 727, 728
 Aitken v Scottish Ambulance Service (2011), 89
 AJ Allan (Blairnyle) Ltd v Strathclyde Fire Board (2016), 88, 104, 651
 Ajinomoto Sweeteners Europe SAS v Asda Stores Ltd (2010), 752, 779
 AK (Medical Treatment: Consent), Re (2001), 716
 Akinleye v East Sussex Hosp NHS Trust (2008), 65, 818–20
 Al Amoudi v Brisard (2006), 792
 Al Hamadani v Al Khafaf (2015), 265
 Alcoa Minerals of Jamaica Inc v Broderick (2002), 503
 Alcock v CC of South Yorkshire Police (1992), 154, 150, 215, 217, 221, 222, 227–29, 232–37, 241, 242, 248, 250, 253–61, 268–70, 272, 274, 275
 Alcock v Wraith (1991), 847, 896
 Alderson v Beetham Organisation Ltd (2003), 27, 28
 Alegrete Shipping Co Inc v International Oil Pollution Compensation Fund (2002), 839
 Alexander v Mercuris (1979), 24, 27
 Alexander v Midland Bank plc (1999), 253
 Alexandrou v Oxford (1990), 94, 161
 Al-Fagih v HH Saudi Research & Marketing (UK) Ltd (2007), 824
 Ali v Associated Newspapers Ltd (2010), 785
 Ali v Bradford MDC (2010), 390, 427, 444
 Ali v Heart of England NHS Foundation Trust (2018), 686, 687, 707
 Alker v Collingwood (2007), 588
 Allen v Council of the City of Stoke-on-Trent (1989), 349, 589, 612
 Allen v Gulf Oil Refining Ltd (1981), 410, 889, 890, 892
 Allen v Sir Alfred McAlpine & Sons (1968), 130
 Alleyne v Commr of Police (2012), 568, 569, 702, 728
 Alliance & Leicester Building Socy v Edgestop Ltd (1993), 736
 Allied Maples Group Ltd v Simmons and Simmons (1995), 283, 408, 477–78
 Allin v City & Hackney HA (1996), 263
 Al-Najar v Cumberland Hotel (London) Ltd (2019), 148, 523, 648
 Alyeska Pipeline Service Co v Wilderness Soc (1975), 30
 American Cyanamid Co v Ethicon Ltd (1975), 376, 377, 415, 415
 Ames v The Spamhaus Project (2015), 764, 765
 AMF Intl v Magnet Bowling Ltd (1968), 622
 Amin v Imran Khan & Partners (2011), 553, 555
 AMM v HXW (2010), 363
 Ammah v Kuehne & Nagal Logistics Ltd (2009), 229
 AMP v Persons Unknown (2011), 263
 Ampleforth Abbey Trust v Turner & Townsend Project Management Ltd (2012), 361, 377
 An Informer v A Chief Constable (2012), 89, 91, 98, 168, 177
 An NHS Trust v A and SA (2005), 720
 An NHS Trust v M (2001), 728
 An NHS Trust v MB (a child) (2006), 723
 An NHS Trust v Y (2018), 722
 Anchor Products Ltd v Hedges (1966), 385
 Anderson v Forth Valley Health Board (1998), 82, 85
 Anderson v Newham College of Higher Education (2003), 516–17
 Anderson v Sense Network Ltd (2018), 522
 Andre v Price (2010), 754, 758, 773
 Andresen v Lovell (2009), 264
 Andrew Weir Shipping Ltd v Wartsila UK Ltd (2004), 162, 164
 Andrews v Greater Glasgow Health Board (2019), 307, 308
 Andrews v Hopkinson (1957), 162, 194
 Andrews v Initial Cleaning Services Ltd (2000), 589, 608
 Andrews v Lewisham and Guy's Mental Health Trust (2000), 28
 Andrews v Sec of State for Health (Damages Assessment) (1998), 223
 Andrews v Waddingham (2006), 509
 Aneco Reinsurance Underwriting Ltd (in liq) v Johnson & Higgins Ltd (2001), 509
 Anglian Water Services Ltd v Crawshaw Robbins & Co Ltd (2001), 890, 927
 Anness v Goodyear Tyre & Rubber Co (1983), 586
 Anns v Merton LBC (1978), 16, 17, 18, 26, 41, 52, 90, 163, 647, 651
 Anslow v Norton Aluminium Ltd (2010), 398
 Anthony v Coal Authority (2005), 398, 401, 853, 905, 929, 941
 Anufrijeva v Southwark LBC (2003), 571, 913
 Applause Store Productions Ltd v Raphael (2008), 320, 369, 373, 792
 Appleton v El Safty (2007), 72, 197, 201–2
 Appleton v Garrett (1996), 568
 Aquaculture Corp v New Zealand Green Mussel Co (1989), 374
 ARB v IVF Hammersmith (2018), 78, 80
 Arcadia Group Brands Ltd v Visa Inc (2015), 129
 Archer v Williams (2003), 328

xxxi Table of Cases

- Arenson v Arenson (1977), 67
 Argyll v Argyll (1967), 327
 Arksey v Cambridge Univ Hosps NHS Foundation Trust (2019), 424, 426
 Armagas Ltd v Mundogas SA (The Ocean Frost) (1986), 72
 Armes v Nottinghamshire CC (2017), 972, 974–78, 991, 998, 1001, 1006, 1007, 1009
 Armstrong v British Coal Corp (1988), 339
 Armstrong v Times Newspapers Ltd (2006), 63
 Arndt v Smith (1997), 129, 132
 Arnold v Natl Westminster Bank plc (1991), 144
 Arnot v Sprake (2001), 333, 342
 Arnup v MW White Ltd (1999), 565
 Arrowhead Capital Finance Ltd v KPMG LLP (2012), 173, 184
 Arscott v Coal Authority (2004), 836, 836, 858, 897, 913, 935, 951
 Arthur JS Hall & Co v Simons (2002), 1, 25, 67, 334, 825
 Ash v McKennitt (2006), 320, 324, 330
 Ashcroft (Lord) v Foley (2011), 832
 Ashingdane v UK (1985), 141
 Ashley v CC of Sussex Police (2008), 11, 12, 16, 61, 567, 568, 686, 688, 735, 741, 747
 Ashton v Turner (1981), 46
 ASK, R v Sec of State for the Home Dept (2019), 748
 Assad v Sec of State for the Home Dept (2015), 730
 Assetco plc v Grant Thornton UK LLP (2019), 459, 465
 Associated Provincial Picture Houses Ltd v Wednesbury Corp (1948), 369, 643–45, 705
 Aswan Engineering Establishment Co v Lupdine Ltd (1987), 156, 158, 166, 167
 AT v Dulghieru (2009), 700, 739, 742–45
 Atlantis World Group of Cos NV v Gruppo Editoriale L'Espresso SpA (2008), 774
 Attia v British Gas plc (1987), 185, 209, 218, 222, 238, 239, 280, 282
 Aubry v Editions Vice-Versa Inc (1998), 329
 Aussie Traveller Pty Ltd v Marklea Pty Ltd (1998), 846
 Austin v Commr of Police (2009), 57, 58, 540, 700, 711, 719, 731, 732
 Austin v Mayor and Burgesses of Southwark LBC (2010), 837
 Australian Broadcasting Corp v Lenah Game Meats Pty Ltd (2001), 329, 332, 334, 371, 383
 AVB v TDD (2014), 260, 264, 267, 365
 Awoyomi v Radford (2007), 6
 AXA General Ins Ltd v Lord Advocate (2011), 301
 AXA General Ins Ltd v Scottish Ministers (2011), 301, 404, 407, 435
 Axel Springer AG v Germany (2012), 354
 Ayres v Odedra (2013), 524
 B (a child), *Re* (2000), 369
 B (A Minor) (Wardship: Medical Treatment), *Re* (1981), 723
 B v A-G (NZ) (2007), 666
 B v An NHS Hosp Trust (2002), 525, 715
 B v Marinovich (1999), 574
 Babanaft Intl Co v Bassatne (1990), 381
 Backwell v AAA (1997), 573–75
 Badger v MOD (2005), 181, 291, 516, 519, 520, 522–24
 Bagley v North Herts HA (1986), 412
 BAI (Run Off) Ltd v Durham (Employers' Liability Ins 'Trigger' Litig) (2012), 298, 300, 400, 434
 Bailey v Armes (1999), 586–87
 Bailey v MOD (2008), 440–41
 Baillie v Bromhead & Co (a firm) (2014), 509
 Baines v York CC (1992), 615
 Baker v Bolton (1808), 29, 565
 Baker v Quantum Clothing Group Ltd (2011), 234, 247, 249, 250, 340, 425, 450
 Baker v TE Hopkins & Son Ltd (1959), 103, 107, 108, 521, 531, 533
 Baker v Willoughby (1970), 479–82, 484
 Bakewell Management Ltd v Brandwood (2004), 410
 Baldwin v Foy (1997), 342
 Balfour v Barty-King (1957), 952, 956, 1008
 Ball v Axten (1866), 695
 Ball v Consolidated Rutile Ltd (1991), 409
 Ball v Street (2005), 448
 Bamford v Turnley (1862), 861, 948
 Bamforth v Jones (1991), 619
 Banca Nazionale del Lavoro SPA (BNL) v Playboy Club London Ltd (CA 2016, SC 2018), 180–82, 193
 Bank of Credit and Commerce Intl SA (in liq) v Ali (No 2) (2002), 401, 474
 Bank of New Zealand v Greenwood (1984), 858–59
 Bank of Scotland v Hussain (2010), 144
 Bankstown Foundry Pty Ltd v Braistina (1985), 297
 Banque Bruxelles Lambert SA v Eagle Star Insurance Co Ltd (1995), 36
 Barber v Pigden (1937), 752
 Barber v Somerset CC (2004), 221, 222, 242, 243, 283
 Barclay v Dunlop Ltd (1998), 167, 188
 Barclays Bank v Grant Thornton UK LLP (2015), 180
 Barclays Bank plc v Various Claimants (2018), 963, 975–78
 Barco De Vapor BV (t/a Joint Carrier) v Thanet DC (2014), 442, 445, 457
 Barings plc (in liq) v Coopers & Lybrand (a firm) (2003), 296, 397, 459, 488, 494, 504, 517
 Barker v Baxendale Walker Solicitors (a firm) (2017), 131
 Barker v Corus (UK) Ltd (2006), 30, 292, 293, 294, 297, 298, 299, 300, 301, 417–20, 425, 427, 429, 431–35, 472
 Barlow v Wigan CC (2019), 582
 Barna v Hudes Merchandising Corp (1962), 425
 Barnes v Hampshire CC (1969), 11
 Barnett v Chelsea and Kensington HMC (1969), 50, 105, 409, 411, 412, 442
 Barr v Biffa Waste Services Ltd (TCC 2011, CA 2012), 399, 833, 835, 849, 850, 852, 859, 861, 864–69, 871, 875, 891, 893, 904, 912
 Barrett v Enfield BC (2001), 7, 10, 25, 298, 334, 644–47, 656, 659, 660, 665, 671, 674, 677, 678

xxxii Table of Cases

- Barrett v MOD (1995), 102, 113, 114
 Barrie v Cardiff CC (2001), 289
 Barrow v Bankside Agency Ltd (1996), 146, 151
 Bartoline Ltd v Royal & Sun Alliance Insurance plc (2006), 899, 900, 917
 Bartrum v Hepworth Minerals and Chemicals Ltd (1999), 617, 632
 Barwick v English Joint Stock Bank (1867), 994
 Bateson v Savills Private Finance Ltd (2013), 510
 Battersby v Tottman (1985), 537
 Baturina v Times Newspapers Ltd (2011), 771, 780, 782, 783, 811
 Baxall Securities Ltd v Sheard Walshaw Partnership (2002), 167
 Bayoumi v Protim Services Ltd (1996), 27
 Bazley v Curry (1999), 973, 991, 993
 BBC, In re (2010), 354
 BC v Zastowny (2008), 44
 Beach Developments Ltd v Foskett (2011), 792, 830
 Beary v Pall Mall Investments (a firm) (2005), 443, 457
 Beasley v Alexander (2012), 522
 Beattie v Ulster Television plc (2005), 218, 220
 Bebee v Sales (1916), 8, 9
 Beckett v Midland Rwy Co (1867), 413
 Bedfordshire Police Authority v Constable (2009), 109
 Beech v Timney (2013), 474
 Beesley v New Century Group Ltd (2008), 546, 554, 555, 560, 563–65
 Begadon v Laois Hunt Club Ltd (2019), 321, 322, 325
 Behrens v Bertram Mills Circus Ltd (1957), 92, 109
 Bell v Alliance Medical Ltd (2015), 969, 976
 Bellarby v Worthing and Southlands Hosp NHS Trust (2005), 341, 365
 Bellefield Computer Services v E Turner & Sons Ltd (2002), 17, 19, 22
 Bellman Northampton Recruitment Ltd (2018), 963, 998, 1001
 Benjamin v Storr (1874), 396
 Bennet v Bellm (2005), 82
 Bennett v Tugwell (1971), 529
 Bento v CC of Bedfordshire Police (2012), 828
 Berent v Family Mosaic Housing and Islington LBC (2011), 854, 877, 879, 882, 904
 Berezovsky v Abramovich (2011), 4
 Berezovsky v Forbes (2001), 770, 806
 Berezovsky v Michaels (2000), 788
 Berezovsky v Russian Television and Radio Broadcasting Co (2010), 759, 829
 Bergman v Haertsch (2000), 387
 Berkoff v Burchill (1997), 772, 773, 774
 Bernard v AG of Jamaica (2004), 973, 992, 1000
 Berry v Ashtead Plant Hire Co Ltd (2011), 227, 247
 Best v Charter Medical of England Ltd (2001), 791
 Bestobell Paints Ltd v Biggs (1975), 771
 Bezant v Rausing (2007), 789
 Bhamra v Dubb (t/a Lucky Caterers) (2010), 115, 392
 Bici v MOD (2004), 70, 256, 540, 690, 692–97, 733–35, 737
 Biddick v Morcom (2014), 48, 118
 Bielitski v Obadiak (1922), 471
 Biffa Waste Services Ltd v Maschinenfabrik Ernst Hese GmbH (2008), 19, 20, 896, 948, 981–87, 1009, 1010
 Billings v Reed (1945), 140
 Bily v Arthur Young & Co (1992), 488
 Birch v UCL Hospital NHS Foundation Trust (2008), 131, 132, 135, 137, 451, 453
 Bird v Jones (1845), 700–3
 Birmingham CC v Shafi (2008), 415
 Birmingham CC v VB (2008), 389
 Birmingham Development Co Ltd v Tyler (2008), 403, 853, 858, 859, 876, 881
 Bishara v Sheffield Teaching Hosp NHS Trust (2007), 104, 143
 Blackwater v Plint (2005), 989
 Blake v Galloway (2004), 300, 301, 322, 712
 Blemain Finance Ltd v E Surv Ltd (2012), 361
 Bloomsbury v News Group Newspapers Ltd (2003), 378, 379
 Blyth v Birmingham Waterworks Co (1856), 333
 Blyth v Bloomsbury HA (1993), 140
 Bodey v Hall (2011), 79, 85, 93, 99, 113
 Bodo Community v Shell Petroleum Development Co of Nigeria (2014), 405, 407, 412, 413, 921, 946
 Bogle v McDonald's Restaurants Ltd (2002), 152, 153, 176, 177, 187, 190, 192, 194, 196, 198, 200, 202
 Bolam v Friern Hospital Management Committee (1957), 131–34, 136, 149, 143, 288, 292, 297–99, 315, 334, 359–84, 444, 538, 539, 614, 615, 720, 721
 Bole v Huntsbuild Ltd (2009), 25
 Bolitho v City and Hackney HA (1997), 133, 359–77, 379–81, 402, 409, 443–448, 615
 Bolton v Stone (1951), 55, 83, 196, 234, 235, 247, 288, 334, 336, 337, 347–49, 351, 354–56, 362, 611, 924
 Bone v Seale (1975), 903
 Bonnard v Perryman (1891), 832
 Bonnick v Morris (2003), 811
 Bonnington Castings Ltd v Wardlaw (1956), 416, 417, 423, 429, 439–442, 475, 485, 486
 Bonser v UK Coal Mining (2003), 284
 Booth v Mister (1835), 74
 Boothman v British Northrop Ltd (1972), 524
 Border v Lewisham and Greenwich NHS Trust (2015), 132
 Borders (UK) Ltd v Commr of Police (2005), 573
 Borealis AB v Geogas Trading SA (2010), 465
 Bostridge v Oxleas NHS Foundation Trust (2015), 709, 746
 Bosworth Water Trust v SSR (2018), 358
 Bot v Barnick (2018), 201
 Bottomley v FW Woolworth & Co Ltd (1932), 808
 Bottomley v Todmorden Cricket Club (2003), 595, 625–26, 1005, 1006

xxxiii Table of Cases

- Bottrill v A (2001), 572
- Boumediene v Delta Display Ltd (2008), 230, 239
- Bourhill (or Hay) v Young (1943), 36, 38, 231, 227, 251, 253, 266, 499, 500
- Bovaird v Westfield Shoppingtowns (2007), 391
- Bowater v Rowley Regis Corp (1944), 534
- Bournemouth Mental Health NHS Trust, *ex p L* (1999), 58, 525, 540, 703, 719
- Bowen v National Trust (2011), 298, 299, 362, 363
- Bowman v MGN Ltd (2010), 827–29
- Boyce v Paddington BC (1903), 459
- Boyo v Lloyds Bank plc (2019), 189
- BP plc v AON Ltd (2006), 170, 196
- BPE Solicitors v Hughes–Holland (2017), 505, 508, 509
- Braddock v Bevins (1948), 787
- Bradford–Smart v West Sussex CC (2002), 64, 165
- Brady v Norman (2010), 64
- Branson v Bower (2001), 797
- Branson v Bower (No 2) (2002), 799, 801
- Brasserie du Pecheur SA v Bundesrepublik Deutschland, *ex p FacTortame Ltd* (1996), 456
- Brazier v Dolphin Fairway Ltd (2005), 236
- BRB (Residuary) Ltd v Connex South Eastern Ltd (2008), 304
- Brent Walker Group plc v Time Out Ltd (1991), 750, 803
- Breslin v McKenna (and McKevitt) (the Omagh Bombing case) (QB 2009, CA 2011), 570, 687, 688, 690, 692, 693, 698, 743, 746
- Bretton v Hancock (2005), 445
- Brian Warwicker Partnership v Hok Intl Ltd (2005), 309
- Bridges v P&NE Murray Ltd (1999), 251
- Bridlington Relay Ltd v Yorkshire Electricity Board (1965), 853, 855–56
- Briggs v Jordan (2013), 332, 337, 338
- Brink’s Global Services Inc v Igrox (2010), 994–95
- Brisbane CC v AG (Qld) (1979), 147
- British Celanese v AH Hunt (Capacitors) Ltd (1969), 209, 400, 851, 856–57, 859, 884, 886, 901, 924, 927, 937, 938, 940, 950
- British Chiropractic Assn v Singh (2010), 768, 796, 806, 807, 817
- British Coal Corp v NUM (Yorkshire Area) and Capstick (1996), 766
- British Rws Board v Herrington (1972), 628, 632, 633, 637
- British Union for the Abolition of Vivisection v Sec of State for the Home Dept (2008), 320
- Brock v Northampton General Hosp NHS Trust (2014), 262, 263, 265, 268
- Bromage v Prosser (1825), 275
- Brooke v Bool (1928), 294, 295
- Brooks v Commr of Police of the Metropolis (2005), 25, 71, 91–93, 95, 98, 100
- Brooks v Home Office (1999), 294, 296
- Broome v Cassell & Co Ltd (1972), 11, 570, 573–76
- Broster v Galliard Docklands Ltd (2011), 22
- Brown v Lewisham and North Southwark HA (1996), 423, 426
- Brown v Merton, Sutton and Wandsworth Area HA (Teaching) (1982), 393
- Browning v Odyssey Trust Co Ltd (2014), 325, 530
- Bryanston Finance Ltd v de Vries (1975), 314
- BSkyB Ltd v HP Enterprise Services UK Ltd (Rev 1) (2010), 21
- Bubb v Vanguard Engineering (1983), 589
- Buchanan v Jennings (AG of New Zealand intervening) (2005), 824
- Budu v BBC (2010), 64
- Bukovsky v Crown Prosecution Service (2017), 779
- Bull v Devon AHA (1993), 296, 330–331, 341, 346, 392–93, 411, 412, 485, 967, 1008
- Bungay v Saini (Rev 1) (2011), 294, 295
- Bunker v Charles Brand & Son Ltd (1969), 337, 589
- Bunt v Tilley (2006), 794
- Bunyan v Jordan (1937), 470
- Burgess v Florence Nightingale Hospital for Gentlewomen (1955), 558
- Burke v Humphrey (2001), 141
- Burke v Southern Education and Library Board (2004), 590, 596, 602, 607, 613, 617, 632, 633
- Burn v MOJ (2012), 221
- Burne v A (2006), 368, 381
- Burns v Boots UK Ltd (2011), 231
- Burns v Thamesdown BC (1991), 605
- Burrow v Commr of Police (2004), 85
- Burrows v Northumbrian Water Ltd (2014), 233
- Burstein v Associated Newspapers Ltd (2007), 799–800
- Burstein v Times Newspapers Ltd (2001), 830
- Burton v Winters (1993), 911, 912
- Burton v Islington HA (1992), 61–62
- Bushell v Newcastle Licensing Justices (2004), 585
- Butchart v Home Office (2006), 279, 281, 282
- Butler (or Black) v Fife Coal Co Ltd (1912), 243
- Butt v Sec of State for the Home Dept (2019), 770, 796, 798
- Bux v Slough Metals Ltd (1973), 447
- Byrne v Boadle (1863), 385, 386, 391
- Byrne v Deane (1937), 780, 794, 795
- Byrne v Ryan (2007), 75, 76, 344, 525
- C v Cairns (2003), 341
- C v D (2006), 465, 466, 468, 471–476, 695
- C v Middlesbrough CC (2008), 140
- C v North Cumbria Univ Hosp NHS Trust (2014), 370
- Cain v Francis (2008), 136
- Cairns v Modi (2012), 830
- Cairns–Jones v Tyler (2010), 128, 134, 135
- Caldwell v Fitzgerald and Maguire (2001), 321, 322
- Caledonia North Sea Ltd v British Telecommunications plc (Scotland) (2002), 12
- Caledonian Rwy Co v Walker’s Trustees (1881–82), 396, 408
- Caltex Oil (Aust) Pty Ltd v The Dredge, ‘Willemstad’ (1976), 207, 213
- Calveley v CC of Merseyside Police (1989), 25, 101, 221

xxxiv Table of Cases

- Calver v Westwood Veterinary Group (2001), 369
 Calvert v William Hill Credit Ltd (2008), 223
 Cambridge v Makin (2012), 820
 Cambridge Water Co v Eastern Counties Leather plc (1994), 34, 109, 402, 833, 841, 852, 857, 859, 861, 862, 875, 882–84, 888, 901, 905–6, 917–18, 924, 931, 935–40, 942–44, 950, 952–53, 955
 Camerata Property Inc v Credit Suisse Securities (Europe) Ltd (2011), 53, 367, 398, 399
 Campbell v MGN Ltd (2004), 7, 320, 323, 324, 325, 327, 335, 337, 339, 342, 345, 349, 357, 361, 365, 372
 Camurat v Thurrock BC (2014), 190
 Canadian National Rwy v Norsk Pacific Steamship Co (1992), 207, 209, 213
 Candler v Crane Christmas (1951), 171
 Candlewood Navigation Corp Ltd v Mitsui Lines Ltd (1986), 211
 Candolin v Pohjola (2005), 524
 Cann v Willson (1888), 171
 Canterbury v Spence (1972), 536, 538, 717
 Caparo Industries plc v Dickman (1990), 18, 19, 25, 41–48, 51, 53–59, 61–63, 65–69, 71, 87, 109, 117, 119, 120, 143, 148, 149, 154, 160–64, 170, 172–76, 179, 180, 184–86, 191–94, 196, 200, 236, 239, 241–42, 264, 277, 279, 326, 354, 504, 596, 640, 644–45, 649, 655–57, 664, 670–74, 676–78, 185, 220
 Cape & Dalgliesh (a firm) v Fitzgerald (2002), 317
 Cape Distribution v O'Loughlin (2001), 558
 Cape Distribution Ltd v Cape Intermediate Holdings plc (2016), 434
 Capita Alternative Fund Services (Guernsey) Ltd v Drivers Jonas (a firm) (2011), 298, 361, 577
 Capital & Counties plc v Hampshire CC (1997), 68, 86–88, 102, 106, 113, 116–17, 315, 383, 650, 651, 436, 445, 296
 Capital Brake Service Pty Ltd v Meagher (2003), 142
 Cardin v La Cite de Montreal (1961)
 Carey v Minister for Finance (2010), 471
 Carillion JM Ltd v Phi Group Ltd (2011), 310, 462
 Carl Zeiss Stiftung v Rayner & Keeler Ltd (No 2) (1967), 143, 144
 Carlgarth, *The* (1926), 599
 Carmarthenshire CC v Lewis (1955), 7, 8, 31, 49, 73, 151, 156, 160, 299, 470
 Carr v Foster (1842), 894
 Carr-Glyn v Frearsons (a firm) (1989), 198
 Carroll v Dunlop Ltd (1998), 178
 Carroll v Fearon, *Bent and Dunlop Ltd* (1998), 161, 167, 180, 181, 188, 217, 389–90
 Carr-Saunders v Dick McNeil Associates Ltd (1986), 578
 Carslogie Steamship Co Ltd v Royal Norwegian Gvt (1952), 461, 467
 Carstairs v Taylor (1870–71), 948
 Carter v MOJ (2010), 474
 Carter v Walker (2010), 470
 Cartledge v E Jopling & Sons Ltd (1963), 119, 403–5
 Carty v Croydon LBC (2005), 45, 46, 297, 298, 326, 361, 639, 647, 670, 671
 Cassells v David W Allan (2019), 523
 Cassidy v Daily Mirror Newspapers Ltd (1929), 771, 782
 Cassidy v Ministry of Health (1951), 104, 344, 387, 392, 967, 1008
 Catholic Child Welfare Socy v Institute of the Brothers of the Christian Schools (Child Welfare Socy) (2012), 72, 963, 976–77, 979, 981, 986, 988, 1002
 Catlin Estates Ltd v Carter Jonas (a firm) (2005), 24, 25, 27
 Cattanach v Melchior (2003), 77
 Cattle v Stockton Waterworks Co (1974–75), 206, 208, 210, 884–86, 901
 Cattley v St John Ambulance Brigade (1988), 109, 295, 313, 384, 398
 Cavalier v Pope (1906), 38
 Century Ins Co Ltd v Northern Ireland Road Transport Board (1942), 997
 CGL Ltd v Royal Bank of Scotland (2017), 168, 174, 175, 200
 Chadwick v British Rwys Board (1967), 107, 234
 Chadwick v Continental Tyre Group Ltd (2008), 199
 Chandler v Broughton (1832), 74
 Chandler v Cape plc (2012), 238
 Chaplin v Hicks (1911), 475, 477
 Chapman v Rix (1994), 380
 Chappel v Hart (1998), 457, 458
 Chappell v Imperial Design Ltd (2000), 455
 Charleston v News Group Newspapers Ltd (1995), 779, 781
 Charman v Orion Publishing Group (2007), 812, 814, 815, 823, 824
 Chase, *Re* (1989), 61
 Chase v News Group Newspapers Ltd (2002), 775, 804–5
 Chastey v Ackland (1895), 855
 Chatterton v Gerson (1981), 129, 448, 449, 452, 717, 718
 Chaudhry v Prabhakar (1989), 177, 179, 191, 192
 Chester v Afshar (2005), 12, 17, 128, 130–35, 137–39, 141, 386, 401, 402, 447, 453–57, 510, 511, 525, 535–36, 538, 182
 Chidlow v Senior Coroner for Blackpool and Fylde (2019), 474
 Chipchase v British Titan Products Co Ltd (1956), 446
 Christie v Davey (1893), 868
 Christmas v Hampshire CC (1995), 669, 670
 Chubb Fire Ltd v Vicar of Spalding (2010), 146, 458, 461, 463–64
 Church v MOD (1984), 226, 404
 City of London Corp v Bovis Construction Ltd (1992), 389
 City of London v Samede (2012), 393, 851–52
 Clare v Ostolosky (2001), 394
 Clark v Bowlit (2006), 96, 97, 98, 101

xxxv Table of Cases

- Clark v Hosier & Dickson Ltd (in liq) (2003), 623, 624
 Clarke v Army and Navy Co-op Socy Ltd (1903),
 171
- Clay v AJ Crump & Sons Ltd (1964), 114
 Clay v TUI Ltd (2018), 459, 466, 497s
 Cleese v Clark (2004), 829
 Clegg v Earby Gas Co (1896), 445
 Cleghorn v Oldham (1927), 319
 Clement v Chivis (1829), 756
 Clements v Imperial College Healthcare NHS Trust
 (2018), 426
 CLG v CC of Merseyside Police (2015), 93
 Clift v Welsh Office (1998), 402, 407
 Clough v First Choice Holidays and Flights Ltd (2006),
 403, 410, 416, 425, 455
 Clunis v Camden and Islington HA (1998), 40, 41,
 44, 46
 Clynnes v O'Connor (2011), 754, 774
 Coal v Cruze (2009), 767, 785
 Coal Pension Properties Ltd v Nu-Way Ltd (2009),
 182
 Cobbett v Grey (1849), 697
 Cockerill v CXK Ltd (2018), 583, 614, 617, 621
 Cockram v Commr of Police (2001), 225
 Coco v AN Clark (Engineers) Ltd (1969), 327
 Coffee v Cutter Biological (1987), 191
 Coke-Wallis, R v Institute of Chartered Accountants in
 England and Wales (2011), 143
 Cole v Davies-Gilbert (2007), 605
 Cole v Turner (1704), 690
 Collet v Smith (2011), 321, 530
 Collier v Anglian Water Authority (1983), 586
 Collingwood v Home & Colonial Stores Ltd (1936),
 938, 939
 Collins v Wilcock (1984), 688, 689, 691–92, 695, 699
 Collins Stewart Ltd v Financial Times Ltd (2005), 789,
 830
 Collins-Williamson v Silverlink Train Services (2009),
 49, 353, 515, 518
 Colls v Home and Colonial Stores Ltd (1904), 848
 Colour Quest Ltd v Total Downstream UK plc (2009),
 213, 394, 396, 397, 404, 412, 210, 834,
 837, 857, 885, 919, 924, 931, 939, 948, 950
 Coltman v Bibby Tankers Ltd (The Derbyshire) (1988),
 160, 240, 241
 Colwill v Oxford Radcliffe Hosp NHS Trust (2007), 307
 Commr of Police v ZH (QB 2012, CA 2013), 541, 701,
 726, 744
 Compton v McClure (1975), 1001
 Conarken Group Ltd v Network Rail Infrastructure Ltd
 (Rev 1) (2011), 167, 170, 208, 209, 496, 503, 833,
 834, 860
 Condon v Basi (1985), 322–23
 Conn v Sunderland CC (2007), 269, 271
 Connor v CC of Merseyside Police (2006), 57
 Connor v Surrey CC (2010), 645–47, 674
 Contostavlos v News Group Newspapers Ltd (2014),
 773
 Conway v Cardiff and Vale NHS Trust (2004), 82
 Conway v George Wimpey & Co Ltd (1951), 996
 Conway v Irish National Teachers Organisation
 (1991), 567
 Conway, R v Sec of State for Justice (2018), 722
 Cook v Lewis (1952), 439
 Cook v Square D Ltd (1992), 227
 Cook v Swansea CC (2017), 612–13
 Cook v Swinfen (1967), 475
 Cook v Telegraph Media Group Ltd (2011), 63, 766,
 773, 782, 784–85, 797, 812, 817, 830
 Cooke v MGN Ltd (2014), 764–66, 770
 Cooke v Midland Great Western Rwy of Ireland
 (1909), 601, 603
 Cookson v Knowles (1979), 557
 Coope v Ward (2015), 329
 Cooper v Carillion plc (2003), 454
 Cooper v O'Connell (1997), 573
 Cooper v Thameside Construction Co Ltd (2016), 415
 Cooper v Turrell (2011), 337, 341, 365, 368,
 369, 370, 373, 378, 381, 754, 755
 Cooperative Group Ltd v John Allen Associates Ltd
 (2010), 361
 Co-operative Group Ltd v Pritchard (2011), 59,
 735–38, 741
 Cope v Sharpe (1912), 540
 Corbett v Cumbria Kart Racing Club (2013), 531
 Corby Group Litig v Corby DC (2008), 393
 397–400, 409, 412, 413, 414, 419,
 430, 450 834, 905
 Corke v Princess Alexandra Hosp NHS Trust (2019),
 378
 Cornelius v De Taranto (2000), 369
 Cornish Glennroy Blair-Ford v CRS Adventures Ltd
 (2012), 338
 Cornwall Gardens PTE Ltd v RO Garrard & Co Ltd
 (2002), 4
 Corr v IBC Vehicles Ltd (CA 2006, HL 2008), 30, 245,
 402, 408, 459, 461, 466, 490, 491, 496, 498, 499,
 504, 506, 513, 521, 526, 530
 Correia v Univ Hosp of North Staffordshire NHS Trust
 (2017), 456
 Corsham v Police Commr for Essex (2019), 177
 Cosgrove v Daudreau and Hotel-Dieu d' Edmundston
 (1981), 394
 Costello v CC of Northumbria Police (1999), 100
 Cotton v Derbyshire Dales DC (1994), 617
 Couch v AG (2010), 573
 Coudert Bros v Normans Bay Ltd (t/a Illingworth,
 Morris Ltd) (2004), 475
 Coughlin v Kuntz (1989), 574
 Counihan v Bus Atha Cliath-Dublin Bus (2005),
 14, 304
 Couper v Albion Properties Ltd (2013), 396, 410,
 Courage Ltd v Crehan (2002), 458
 Court v Wyatt (1960), 9
 Coventry v Lawrence (2014), 414, 842, 845–47, 852,
 862, 865–69, 872–74, 889, 890, 894, 895, 907–11

xxxvi Table of Cases

- Cowley v Cheshire and Merseyside Strategic HA (2007), 369
- Cox v MOJ (2016), 70, 237, 248, 964, 972–78, 980, 981, 986, 991, 1001
- Coxhill v Forward (1986), 899, 924, 930, 936, 938, 942, 957, 959
- CP (A Child) v First-Tier Tribunal (Criminal Injuries Compensation) (2014), 123
- Cramaso LLP v Ogilvie-Grant, Earl of Seafield (Scotland) (2014), 169
- Cranford Community College v Cranford College Ltd (2014), 6
- Crawford Adjusters v Sagicor General Insurance (Cayman) Ltd (2013), 2
- Crawford v Jenkins (2014), 5, 824
- Cream Holdings Ltd v Banerjee (2005), 376
- Creation Records Ltd v News Group Newspapers Ltd (1997), 327, 329
- Credit Lyonnais Bank Nederland NV v Export Credits Guarantee Dept (2000), 68
- Cresswell v Sirl (1948), 105, 540
- Creutzfeldt-Jakob Disease (CJD) Litig, Andrews v Sec of State for Health (Damage Assessment) (1998), 220, 221
- Creutzfeldt-Jakob Disease (CJD) Litig, Group A and C Plaintiffs, Re (1998), 414, 422, 447
- Creutzfeldt-Jakob Disease (CJD) Litig, Group B Plaintiffs v UK Medical Research Council (1999), 185, 209, 221, 235, 236, 242, 249, 250, 253, 277–79, 471
- Criminal Injuries Compensation Authy v First-Tier Tribunal (Criminal Injuries Compensation) (2017), 126
- Crocker v British Coal Board (1996), 906
- Croft (a child) v Heart of England NHS Foundation Trust (2012), 295, 387
- Croft v Broadstairs Town Council (2003), 286
- Croke v Wiseman (1982), 549–50
- Crompton v Lea (1874–75), 949
- Crooks v Newdigate Properties Ltd (formerly UPUK Ltd) (2009), 295
- Cross v Highlands & Islands Enterprise (2001), 253, 501
- Cross v Kirkby (2000), 46, 47, 49, 733
- Cross v UGC Ltd (t/a Oxford Automotive Components Ltd) (2001), 226
- Crossley v Rawlinson (1982), 53, 107
- Crouchman v Burke (1997), 129
- Crowley (t/a Crowley Civil Engineers) v Rushmoor BC (2009), 308
- Crown River Cruises Ltd v Kimbolton Fireworks Ltd (1996), 837, 863, 923, 924, 932
- Cruise v Express Newspapers plc (1998), 775
- Cullen v CC of Royal Ulster Constabulary (2003), 451
- Cummings v Granger (1977), 91, 93, 96, 99, 110, 111, 113, 114, 535
- Cunningham v Harrison (1973), 547
- Cunningham v Reading FC (1992), 337–38, 353, 396, 589, 613–15
- Curistan v Times Newspapers Ltd (2008), 805, 821–22
- Curtis v Betts (1990), 96, 99, 103
- Customs and Excise Commrs v Barclays Bank plc (2003), 36, 42, 45, 57, 112, 143, 154, 169, 174, 176, 197, 200, 423
- Cutler v Wandsworth Stadium Ltd (1949), 430, 431, 433, 434, 440, 442, 460
- Czarnikow Ltd v Koufos (The Heron II) (1969), 35, 36, 491
- D & F Estates Ltd v Church Commrs for England (1988), 15, 17, 18, 21, 23, 251, 1007
- D Morgan Plc v Mace & Jones (a firm) (2010), 361, 443, 444
- D Pride & Partners v Institute for Animal Health (2008), 210, 212, 504, 860, 884, 885, 901, 919, 924, 927, 930
- D v Donald (2001), 558, 561
- Daborn v Bath Tramways Motor Co Ltd (1946), 311, 356
- Dalling v JR Heale & Co Ltd (2011), 460, 461, 466, 521
- Dalton v Southend Univ Hosp NHS Foundation Trust (2019), 367
- Daniel v Dept of Health (2014), 286
- Daniels v BBC (2010), 777
- Daniels v Thompson (2004), 28, 575
- Dann v Hamilton (1939), 107
- Darby v National Trust (2001), 395, 600, 614, 617, 621, 627
- Darling Island Stevedoring and Lighterage Co v Long (1956), 429
- Darnley v Croydon Health Services NHS Trust (CA 2017, SC 2018), 47, 56, 65, 90, 119, 295, 382
- DAS Intl Ltd v Manley (2002), 304, 306, 312, 317
- David T Morrison & Co Ltd (t/a Gael Home Interiors) v ICL Plastics Ltd (Scotland) (2014), 392
- David v Honeywell Normalair-Garrett Ltd (2005), 582
- Davidson v CC for North Wales (1994), 707
- Davie v New Merton Board Mills Ltd (1959), 172, 241
- Davies v Global Strategies Group Hong Kong Ltd (2009), 427, 530
- Davies v Mann (1842), 518
- Davies v Powell Duffryn Associated Collieries Ltd (1942), 561
- Davies v Swan Motor Co (Swansea) (1949), 306
- Davies v Univ Hosp of North Staffordshire NHS Trust (2014), 360
- Davis Contractors Ltd v Farnham UDC (1956), 291
- Davis v Stena Line Ltd (2005), 312–13, 335
- Davison v Habeeb (2011), 794–95, 808
- Davison v Leitch (2013), 547
- Daw v Intel Corp (2007), 287
- Dawkins v Carnival plc (t/a P&O Cruises) (2011), 391
- Dawkins v Lord Rokeby (1872), 824
- Dawson & Co v Bingley UDC (1911), 445
- Dayman v Lawrence Graham (2008), 478
- De Freitas v O'Brien (1995), 293, 363
- De Maynard v Streatham Hill Veterinary Surgery (1999), 132

xxvii Table of Cases

- Dean and Chapter of Rochester Cathedral v Debell (2016), 611
- Dee v Telegraph Media Group Ltd (2010), 775, 777, 781, 782, 798, 804
- Deep Vein Thrombosis and Air Travel Group Litig, Re (2003), 12
- Delaney v Pickett (2011), 38, 47, 55
- Delaney v Southmead HA (1995), 390
- Delaware Mansions v Westminster CC (2001), 841, 854, 876, 912
- Dell'Olio v Associated Newspapers Ltd (2011), 331, 341
- Demarco v Ungaro (1979), 3
- Demco Investment & Commercial SA v Interamerican Life Ass (Intl) Ltd (2012), 304
- Dempsey v Waterford Corp (2008), 930
- Denham v Midland Employers' Mutual Ass Ltd (1955), 984, 985
- Dennis v MOD (2003), 867, 904, 908, 913, 914
- Department for Transport, Environment and the Regions v Mott MacDonald Ltd (2006), 19, 444
- Dept of Environment v Thomas Bates & Son Ltd (1989), 19
- Derbyshire CC v Times Newspapers Ltd (1993), 766–68, 776
- Deriche v Ealing Hospital NHS Trust (2003), 132
- Derry v Peek (1889), 3, 170, 171
- Desmond v CC of Nottinghamshire Police (2009), 91, 100, 190
- D'Este v D'Este (1983), 28
- Deutsche Bank AG v Sebastian Holdings Inc (2013), 53
- Devenish Nutrition Ltd v Sanofi-Aventis SA (France) (Rev 1) (2009), 10, 417, 575
- Devlin v Roche (2002), 140
- Devoy v William Doxford & Sons Ltd (2009), 554, 559–60
- DFT v TFD (2010), 363
- Diamond v Royal Devon & Exeter NHS Foundation Trust (2019), 134, 456
- Di Carlo v Dubois (2004), 141
- Dick v Falkirk Burgh (1976), 29, 31
- Dickie v Flexcon Glenrothes Ltd (2009), 222, 439
- Digicel (St Lucia) Ltd v Cable & Wireless plc (2010), 421, 432, 434, 437, 440, 454
- Dingle v Ass Newspapers Ltd (1961), 293, 296
- Diop, R v Sec of State for the Home Dept (2018), 737
- Divya v Toyo Tire and Rubber Co Ltd (t/a Toyo Tires of Japan) (2011), 163, 167, 174, 179, 389
- Dixon v Clement Jones Solicitors (a firm) (2004), 515
- Djermal v Bexley HA (1995), 310
- DM v Minister for Health and Children (2018), 226
- DN v Greenwich LBC (2004), 74
- DN (Rwanda) v Sec of State for the Home Dept (2018), 748
- Dobson v Thames Water Utilities Ltd (No 2) (2011), 329, 833, 848, 852–53, 873, 875, 892, 902–4, 908, 912–14, 384
- Dockeray v Manor Park Homebuilders Ltd (1995), 945
- Dodds v Dodds (1978), 557, 559
- Dodwell v Burford (1670), 690
- Doe v Cutter Labs (1988), 191
- Doherty v MOD (2019), 553
- Doherty v Reynolds (2004), 387
- Dominion Natural Gas Co v Collins & Perkins (1909), 154, 161
- Donachie v CC of the Greater Manchester Police (2004), 100, 230, 250
- Donne Place Investments Ltd v McDonnell (2011), 388
- Donoghue v Concrete Products (Kirkcaldy) Ltd (1976), 170, 174
- Donoghue v Folkestone Properties Ltd (2003), 591, 592, 596–98, 628–29, 631–32, 637
- Donoghue v Stevenson (1932), 18, 19, 178, 179, 181, 182, 183, 184, 194, 207, 208, xxiii, xxv, 25, 36, 39, 40, 57, 62, 179, 288, 919
- Donovan v Gibbons (2014), 749, 797
- Donselaar v Donselaar (1982), 572
- Dooley v Cammell Laird & Co Ltd (1951), 232
- Dorset Yacht Co v Home Office (1970), see Home Office v Dorset Yacht Co
- Dosanjh v R (2013), 387
- Doughty v Turner Manufacturing (1964), 495
- Douglas v Hello! Ltd (2005), 2, 3, 323, 325, 329, 334, 349, 350, 369, 371
- Dow v Amec Group Ltd (2017), 230
- Dow v Tayside Uni Hosp NHS Trust (2006), 111
- Dowdall v William Kenyon & Sons Ltd (2014), 293
- Dowdie v Camberwell HA (1997), 310, 365
- Downs v Chappell (1997), 306
- Dowson v CC of Northumbria Police (2010), 255, 269, 270
- Doyle v Olby (Ironmongers) Ltd (1969), 35
- DPP v Camplin (1978), 31
- DPP v Dziurzynski (2002), 286, 332
- DPP v Fearon (2010), 385, 404
- DPP v K (1990), 690
- Dragonfly Consultancy Ltd v HMRC (2008), 975
- Drake v Harbour (2008), 415
- Drake v Starkey (2010), 31, 548, 564
- Draper v Hodder (1972), 80, 81, 85
- Drummond-Jackson v British Medical Assn (1970), 775, 776
- Dryden v Johnson Matthey plc (2018), 407
- Drysdale v Hedges (2012), 587, 588
- DSV Silo-und Verwaltungsgesellschaft mbH v Owners of The Sennar (The Sennar) (1985), 144
- Dubai Aluminium Co Ltd v Salaam (2002), 71, 307, 309, 972, 1002
- Duce v Worcestershire Acute Hosps NHS Trust (2018), 134, 142, 455, 457
- Dudgeon v UK (1981), 340
- Duham v (BAI) (Run-Off) Ltd (the Trigger Litig) (2012), 431
- Duke of Brunswick v Harmer (1849), 64, 788

xxxviii Table of Cases

- Dulieu v White & Sons (1901), 227, 462, 500
 Dunford & Elliott Ltd v Johnson & Firth Brown Ltd (1978), 333
 Dunlop Rubber Co Ltd v Dunlop (1921), 774
 Dunnage v Randall (2015), 299, 333
 Dunne v National Maternity Hosp (1989), 297
 Dunne v North Western Gas Board (1964), 892–93
 Dutton v Bognor Regis UDC (1972), 156
 Dwek v Associated Newspapers Ltd (2009), 774
 Dwek v Macmillan Publishers Ltd (1999), 786
 Dymond v Pearce (1972), 384, 394, 400, 407, 409
 Dyne, Hughes & Archer (a firm) v Cross (1990), 475
 Dyson v LE Sims & Partners Ltd (1984), 623
 E Hobbs (Farms) Ltd v Baxenden (Chemical Co) Ltd (1992), 161, 165, 924, 957, 959
 E Hulton & Co v Jones (1910), 783, 785
 E v Castro (2003), 310, 369
 E v Dorset CC (1995), 657, 669
 Earl Spencer v UK (1998), 324
 Earl v Lubbock (1905), 183
 East Dorset DC v Eaglebeam Ltd (2006), 384, 389, 390, 410, 411, 414, 419
 East Suffolk Rivers Catchment Board v Kent (1941), 640–43, 649–51, 653, 670
 Eastern and South African Telegraph Co Ltd v Cape Town Tramways Ltd (1902), 887, 888, 924
 Eccles v McBurney (1959), 105
 Ecclestone v Medway NHS Foundation Trust (2013), 369, 763, 776
 Ecclestone v Telegraph Media Group Ltd (2009), 763, 776
 Eckersley v Binnie & Partners (1988), 296
 Economou v De Freitas (2018), 811, 817
 Eden v West & Co (2002), 618
 Edison v Edison Polyform Manufacturing Co (1907), 371
 Edo MBM v Axworthy (2005), 279, 280
 Edwards v Hugh James Ford Simey (a firm) (2018), 86
 Edwards v National Coal Board (1949), 450
 Edwards v Sutton LBC (2016), 581, 589–90, 611, 616
 EL v Children's Socy (2012), 137, 343
 Electrical, Electronic, Telecommunication and Plumbing Union v Times Newspapers Ltd (1980), 768
 Elguzouli-Daf v Commr of Police (1995), 437
 Elite Property Holdings Ltd v Barclays Bank plc (2018), 200
 Ellis v Bristol CC (2007), 449
 Ellis v Home Office (1953), 50
 Ellis v Kelly (2018), 56, 73, 302, 520
 Ellis v Loftus Iron Co (1874), 107
 Ellis v Sheffield Gas Consumers' Co (1853), 1004
 Ellison v MOD (1996), 863, 881, 898, 924, 933, 936, 940
 Ellison v Univ Hosp of Morecambe Bay NHS Foundation Trust (2015), 543, 545
 Emerald Supplies Ltd v British Airways plc (2009), 287
 EMS (A Minor) v ES (2018), 524
 English and Scottish Co-op Properties Mortgage and Investment Society Ltd v Odhams Press Ltd (1940), 756
 English Heritage v Taylor (2016), 635
 Environmental Agency v Ellis (2008), 292
 Equitas Ins Ltd v Municipal Mutual Ins Ltd (2019), 432
 Essa v Laing Ltd (2004), 35, 490, 742
 Essex CC v RF (2015), 725
 Esso Petroleum Co Ltd v Mardon (1976), 177–78
 Esso Petroleum Co Ltd v Southport Corp (1956), 544, 545
 ETK v NGN (2011), 340, 348, 354, 355, 368
 Euro-Diam v Bathurst (1988), 46
 European Commission v UK (1997), 186, 187, 213, 214
 Evans v Kosmar Villa Holidays (2007), 350, 589, 612, 616–18
 Evans v Pontypridd Roofing Ltd (2001), 548
 Evans v Triplex Safety Glass Co Ltd (1936), 168, 180
 Everett v Comojo (UK) Ltd (t/a the Metropolitan) (2011), 46
 Ewing v Times Newspapers Ltd (2010), 319, 331, 347, 364
 Exel Logistics v Curran (2004), 249
 EXP v Barker (2017), 375
 F v West Berkshire HA (aka: Re F (Mental Patient (Sterilisation))) (1990), 312, 540, 720–22
 F v Wirral MBC (1991), 565, 566
 Fagan v Goodman (2001), 247, 256
 Fairchild v Glenhaven Funeral Services Ltd (2002), 237, 297–301, 416–35, 437–442, 473, 594, 595
 Fallows v Crossley (1993), 946
 Fallows v Randle (1996), 378, 393
 Farquharson v Farquharson (1811), 897
 Farr v Butter Bros & Co (1932), 168, 169
 Farraj v King's Healthcare NHS Trust (2009), 74, 224
 Farrall v Kordowski (2010), 828–29
 Farrell v Avon HA (2001), 243, 240, 241, 256, 263–64, 267, 275–77
 Farrell v Merton, Sutton and Wandsworth HA (2000), 218, 220, 238, 256, 260, 274–75
 Farrell v Sec of State for Defence (1980), 728
 Fayed v UK (1994), 71
 FB v Princess Alexandra Hosp NHS Trust (2017), 291, 299, 310
 FD v CAFCAS (2014), 699
 Fearn v Board of Trustees of the Tate Gallery (2019), 834, 859, 888
 Fearn's (t/a Autopaint Intl) v Anglo-Dutch Paint and Chemical Co Ltd (2010), 150
 Federal Commerce & Navigation Co Ltd v Molena Alpha Inc (The 'Nanfri') (1978), 150
 Fentiman v Marsh (2019), 830–31

xxxix Table of Cases

- Ferdinand v MGN Ltd (2011), 325, 330, 339, 341, 342, 343, 344, 352, 355, 357, 358, 359, 361, 362, 363, 368
- Ferguson v British Gas Trading Ltd (2009), 271
- Ferguson v Welsh (1987), 583, 623
- Fernquest v City of Swansea (2011), 49
- Ferrari v National Trust (2004), 612
- Fiddes v Channel 4 Television Corp (2010), 63
- Filliter v Phippard (1847), 956
- Finesse Group Ltd v Bryson Products (a firm) (2013), 156, 159, 208
- Fisher v Harrods (1966), 161
- Fishmongers' Co v East India Co (1752), 854
- Fitzgerald v Lane (1989), 293, 310, 311, 425
- Fitzpatrick v Commr of Police of the Metropolis (2012), 5
- Fitzpatrick v White (2007), 142
- Flack v Hudson (2000), 80, 89, 90, 98, 111, 112, 535
- Flavius v Metropolitan Police Commr (1982), 970
- Fletcher v Chancery Supplies Ltd (2016), 992
- Flint v Tittenso (2015), 737
- Flood v Times Newspapers Ltd (2010), 805, 811–13, 821, 824, 828
- Foo Fio Na v Dr Soo Fook Mun (2007), 368
- Force India Formula One Team Ltd v 1 Malaysia Racing Team (2012), 328
- Foskett v Mistry (1984), 299
- Foster (otherwise Billington) v Maguire (2008), 51–52, 490
- Foster v Biosil (2001), 199, 202, 205, 217
- Foster v Warblington UDC (1906), 837, 852
- Fouladi v Darout Ltd (2018), 846
- Fowler v Lanning (1958), 693
- Fowles v Bedfordshire CC (1995), 112–13, 596
- FP v Taunton and Somerset NHS Trust (2009), 81, 83, 85
- Francis v Cockrell (1869–70), 604
- Francis v Southwark LBC (2011), 447
- Francome v MGN Ltd (1984), 328, 361
- Francovich v Italy (1995), 456
- Franklin v Gramophone Co Ltd (1948), 249
- Franklin v South Eastern Rwy Co (1858), 31
- Fraser v Bolt Burdon Claims (2009), 296
- Fraser v Evans (1969), 802, 832
- Fred Ballard v North British Rwy Co (1923), 385
- Frederick v Positive Solutions (Financial Services) Ltd (2018), 980
- Frederick Goodwin v NGN Ltd (2011), 354
- Free Grammar School of John Lyon v Westminster (2012), 494
- Freeman v Higher Farm Park (2008), 80, 89, 93, 94, 95, 97, 101, 111, 112
- Freemont (Denbigh) Ltd v Knight Frank LLP (2014), 184
- Freer v Zeb (2008), 791
- French v Strathclyde Fire Board (2013), 349
- French v Thames Valley Strategic (2005), 341, 359, 369, 371
- Fressoz and Roire v France (2001), 56, 356
- Friend v Civil Aviation Authority (2001), 4, 144
- Fritz v Hobson (1880), 396
- Froggatt v Chesterfield and North Derbyshire Royal Hosp NHS Trust (2002), 260, 261, 264, 265, 272
- Froom v Butcher (1976), 519, 520, 522, 524
- Frost (White) v CC of South Yorkshire Police (1999) – see White/Frost v CC of South Yorkshire Police
- Fryer v Pearson (2000), 605
- Furnell v Flaherty (t/a Godstone Farm) (2013), 638, 639, 644–46, 650–52, 679
- Fytche v Wincanton Logistics plc (2004), 229, 243, 448, 453
- Gabriel v Kirklees MC (2004), 51, 336, 349, 582
- Galashiels Gas Co Ltd v Millar (1949), 448
- Gallagher v Haven Leisure Ltd (2003), 612
- Galli-Atkinson v Seghal (2003), 257, 264, 265, 270
- Galloway v Telegraph Media Group Ltd (2006), 782, 812
- Galoo Ltd v Bright Grahame Murray (a firm) (1993)
- Gammel v Wilson (1982), 555
- Garcia v St Mary's Trust (2006), 330, 345, 371–72, 380–81
- Garner v Walsall Hospitals NHS Trust (2004), 592
- Garcia v Associated Newspapers Ltd (2014), 830
- Garrard v AE Southey & Co (1952), 983
- Gatt v Barclays Bank plc (2013), 189
- Gavin v Community Housing Assn (2013), 935, 937
- Gayler & Pope Ltd v B Davies & Son Ltd (1924), 116
- GB v Stoke City Football Club Ltd (2015), 694
- Geary v JD Wetherspoon plc (2011), 47–48, 57, 64–65, 535, 590, 596, 599, 635
- Geldof Metallconstructie NV v Simon Carves Ltd (2010), 150
- General Cleaning Contractors Ltd v Christmas (1953), 228, 229
- George v Coastal Marine 2004 Ltd (t/a Mashfords) (2009), 589, 619, 621
- George v Eagle Air Services Ltd (Saint Lucia) (2009), 388
- Gesner v Wallingford Labour Party Supporters' Assn Club (1994), 597
- GG v YY (2014), 259
- Gibbs v Rea (1998), 5
- Gibson v Grampian Health Board (1985), 520
- Gibson v Orr (1999), 98, 102
- Giggs v News Group Newspapers Ltd (2012), 340, 376, 380
- Gillick v West Norfolk and Wisbech AHA (1986), 724
- Gillingham BC v Medway (Chatham Docks) Co Ltd (1993), 389, 394, 398, 870–72
- Gillingham v Ash Scaffolding Co Ltd (1990), 589, 620
- Girard v Royal Columbian Hosp (1976), 390
- GJ Hamilton v Papakura DC (New Zealand) (2002) – see Hamilton v Papakura DC
- Gladman Commercial Properties v Fisher Hargreaves Proctor (2013), 317

xi Table of Cases

- Glaister v Appleby-in-Westmoreland TC (2009), 168, 625
- Glancy v Southern General Hosp NHS Trust (2013), 135
- Glasgow City Corp v Taylor (1922), 601, 608, 618
- Glasgow Corp v Muir (1943), 54, 291, 594
- Glass v UK (2004), 728
- Gleaner Co Ltd v Abrahams (Jamaica) (2004), 11
- Gleaves v Deakin (1980), 759
- Glenbrook Capital LP v Hamilton (2014), 3
- Gloster v Greater Manchester Police (2000), 83, 102
- Godfrey v Demon Internet Ltd (2001), 795, 808–9
- Gold v Essex CC (1942), 652, 967, 1008
- Gold v Haringey HA (1988), 132, 135, 379
- Golder v UK (1979), 69, 141
- Goldman v Hargrave (1967), 147, 289, 327–28, 469, 648, 851, 867, 874–79, 957–58
- Goldscheider v Royal Opera House Covent Garden Foundation (2019), 356, 358, 493, 522
- Goldsmith v Bhoyrul (1998), 767
- Goldsmith v Patchcott (2012), 89, 93, 94, 99, 100, 102, 110, 112
- Goldstein v Levy Gee (a firm) (2003), 361
- Gollins v Gollins (1964), 31
- Goodes v East Sussex CC (2000), 391, 444
- Goodwill v British Pregnancy Advisory Service (1996), 82, 193, 202
- Goodwin v NGN Ltd (2011), 354
- Gorely v Codd (1967), 9
- Gorham v British Telecommunications Ltd (2000), 203–205
- Gorringe v Calderdale MBC (2004), 143, 391, 424, 444, 639, 641–48, 650, 651, 653, 656–57
- Gorris v Scott (1873), 452, 453
- Gough v Thorne (1966), 299
- Gouldsmith v Mid Staffordshire General Hospitals NHS Trust (2007), 317, 446, 447, 525
- Gouriet v Union of Post Office Workers (1978), 389
- Gower v Bromley LBC (2000), 64
- Graham & Graham v Re Chem International Ltd (1996), 954
- Graham Barclay Oysters Pty Ltd v Ryan (2002), 177
- Graham v Dodds (1983), 556
- Graham v Watt-Smyrk (1986), 393
- Grainger v Hill (1838), 2
- Grant v Australian Knitting Mills Ltd (1936), 161, 166, 169, 170, 171, 179, 182
- Grant v Fife Council (2013), 239
- Grant v Sec of State for Transport (2017), 554
- Grappelli v Derek Block (Holdings) Ltd (1981), 771
- Graves v Brouwer (2015), 415
- Gravesham v British Rwy Board (1978), 396
- Gravil v Redruth Rugby Football Club Ltd & Carroll (2008), 999
- Gray v Barr (1971), 29
- Gray v Jones (1939), 757
- Gray v Thames Trains Ltd (2009), 38, 39, 42, 43, 45, 47, 48, 479, 481–84
- Grealis v Opuni (2003), 425, 444
- Greatorex v Greatorex (2000), 108, 234–35, 251
- Green v Building Scene Ltd (1994), 382
- Green v DB Group Services (2006), 255
- Green v RBS plc (2013), 430, 431
- Green v Sunset & Vine Productions Ltd (2010), 496–97
- Green v Somerleyton (2003), 854, 875–76
- Greenhalgh v British Rwys Board (1969), 582
- Greenhalgh v Mallard (1947), 147
- Green Corns Ltd v Claverley Group Ltd (2005), 328
- Greenhorn v South Glasgow University Hosp NHS Trust (2008), 308
- Gregg v Ashbrae Ltd (2005), 256
- Gregg v O'Gara (2008), 774, 791–92, 797, 802, 811, 831
- Gregg v Scott (2005), 10, 401–3, 405, 416, 446, 471–77, 486
- Gregory v Portsmouth CC (2000), 4, 5
- Gregory v Shepherds (a firm) (1999), 516
- Grieve v Salford HA (1991), 60
- Grievous v FT Everard & Sons Ltd (2006), 225, 228, 242, 277–78, 287, 404–5
- Griffiths v Suffolk Police and Norfolk and Suffolk NHS Foundation Trust (2018), 152, 166
- Groom v Selby (2001), 83–85
- Group Seven Ltd v Notable Services LLP (2019), 965, 991–92, 994, 996
- Groves v Lord Wimborne (1898), 243, 428, 435, 437, 446, 448
- Groves v Studley (2014), 523
- Grubb v Bristol United Press Ltd (1963), 771
- GT Gilbert (t/a Woods Farm Christmas Trees) v British Waterways Board (2005), 901
- Gulati v MGN Ltd (2015), 319, 370
- Guy v Mace & Jones (2012), 38
- Gwilliam v West Hertfordshire Hospital NHS Trust (2002), 625–26, 1005–6
- H (a healthcare worker) v Associated Newspapers Ltd (2002), 325
- H & N Emanuel Ltd v GLC (1971), 635, 947, 957
- H and R (Child Sexual Abuse: Standard of Proof), Re (1996), 688
- H Parsons (Livestock) Ltd v Uttley Ingham & Co Ltd (1978), 36
- Hackney LBC v Sivanandan (2011), 293, 294, 302
- Hadley v Baxendale (1854), 17, 35, 36
- Hadlow v Peterborough CC (2011), 495
- Hajgato v London HA (1982), 368
- Hale v Jennings Bros (1938), 906, 924, 930, 936, 946, 947
- Haley v London Electricity Board (1965), 58
- Halford v Brookes (1991), 121
- Halifax Building Society v Thomas (1996), 578
- Hall v Brooklands Auto Racing Club (1933), 319
- Hall v Gwent Healthcare NHS Trust (QB 2004, CA 2005), 248, 568

xli Table of Cases

- Hall (Inspector of Taxes) v Lorimer (1994), 975
 Hall v Woolston Hall Leisure Ltd (2000), 38
 Halsey v Esso Petroleum Co Ltd (1961), 848, 850, 864, 867, 900, 924, 930
 Halsey v Milton Keynes General NHS Trust (2004), 482
 Hamaizia v Commr of Police (2014), 781
 Hamilton v Papakura (2002), 289, 924, 943
 Hammersmith and City Railway Co v Brand (1869), 889, 893
 Hammond v Intl Network Services (2007), 255
 Hampshire Police v Taylor (2013), 237
 Hampstead Heath Winter Swimming Club v London Corp (2005), 612
 Handyside v UK (1979–80), 352
 Hannington v Mitie Cleaning (South East) Ltd (2002), 224, 583
 Hannon v NGN Ltd (2014), 331, 372
 Harbeson v Parke-Davis Inc (1983), 126
 Hardaker v Newcastle HA (2001), 331, 332, 346, 525
 Hardman v Amin (2000), 84–85
 Hardman v Riddell (2004), 293, 296, 339
 Harooni v Rustins Ltd (2011), 926, 936, 937, 944
 Harpur v Haden & Sons Ltd (1933), 392
 Harracksingh v AG of Trinidad and Tobago (2004), 59
 Harris v Birkenhead Corp (1976), 587
 Harris v Evans (1998), 68, 190–92, 673, 681
 Harris v Lewisham and Guy's Mental Health Trust (2000), 28–29
 Harris v Wyre Forest DC (1990), 182–83, 188
 Harrison v Michelin Tyre Co Ltd (1985), 995, 997
 Harrison v Shepherd Homes Ltd (2011), 24, 25, 29
 Harrison v Technical Sign Co Ltd (2013), 63
 Harrison v Thanet DC (1997), 616
 Harriton v Stephens (2006), 126–27
 Hartley v Mayoh & Co Ltd (1954), 441
 Hartmann v South Essex Mental Health NHS Trust (2005), 287
 Harvey v Plymouth CC (2009), 589, 592, 603
 Haseldine v CA Daw and Son Ltd (1941), 162, 623
 Hassan v Minister for Health (2005), 141
 Hatton v Sutherland (2002), 243, 254, 283, 284, 287, 339
 Haward v Fawcetts (2006), 121
 Hawley v Luminar Leisure Ltd (2006), 309, 982–85, 987–89
 Haxton v Philips Electronics UK Ltd (2014), 503
 Hay (Gill's curator bonis) v Grampian Health Board (1994), 392
 Hay v Hughes (1975), 560
 Hayden v Hayden (1992), 562
 Haydon v Kent CC (1978), 391
 Hayes v South East Coast Ambulance Service NHS Trust (2015), 553, 566
 Hayes v Willoughby (2011 CA, 2013 SC), 256, 257, 277–281
 Haynes v Harwood (1935), 107, 146–47, 469, 495
 Hays plc v Hartley (2010), 768
 Hayward v Thompson (1982), 784
 Health and Safety Executive v Thames Trains Ltd (2003), 645
 Healy v Bray Urban DC (1962–63), 933
 Heasmans v Clarity Cleaning Co Ltd (1987), 994
 Heaton v AXA Equity and Law Life Ass Soc plc (2002), 303, 312–317, 557
 Heaven v Pender (t/a West India Graving Dock Co) (1883), 36–39
 Hedley Byrne and Co Ltd v Heller and Partners Ltd (1964), 19–20, 20, 22, 39, 42–44, 51, 111, 116, 119, 167, 169–76, 179, 180–81, 187, 189, 191–96, 200, 203, 206, 239, 279
 Hegarty v EE Caledonia Ltd (1997), 424
 Hegarty v O'Loughran (1990), 120
 Heil v Rankin (2001), 482, 739
 Hellewell v CC of Derbyshire (1995), 328, 363
 Henderson v Dorset Healthcare Uni NHS Foundation Trust (2018), 514
 Henderson v Henderson (1843), 143, 146, 147, 148
 Henderson v Merrett Syndicates Ltd (1995), 18–21, 22, 169, 173–74, 194–97, 361
 Heneghan v Manchester Dry Docks Ltd (2016), 100
 Henry v NGN Ltd (2011), 830
 Henry v Thames Valley Police (2010), 315, 335
 Henwood v Municipal Tramways Trust (1938), 42
 Hepburn v CC of Thames Valley Police (2002), 696
 Herd v Weardale Steel, Coal and Coke Co (1913), 704, 705, 718
 Herrick v Kidner (2010), 388
 Herring v Shorts Financial Services LLP (2016), 206
 Herschtal v Stewart and Ardern (1940), 161, 168, 169, 170
 Hevican v Ruane (1991), 258
 Heywood v Wellers (1976), 485
 HH Prince Moulay Hicham Ben Abdallah Al Alaoui of Morocco v Elaph Publishing Ltd (2017), 773
 Hibbert Pownall & Newton (a firm) v Whitehead (2008), 127
 Hickey v Marks (2000), 317
 Hickey v McGowan (2017), 942
 Hickman v Laphthorn (2005), 307
 Hicks v CC of South Yorkshire Police (1992), 31, 217, 221, 547, 553–55, 565–66
 Hicks v Young (2015), 338, 493, 708, 737
 Higgs v Foster (t/a Avalon Coaches) (2004), 631
 Hildebrand v Hildebrand (1992), 367
 Hi-Lite Electrical Ltd v Wolseley UK Ltd (2011), 461–62
 Hill v CC of West Yorkshire Police (1989), 25, 54, 57, 66–69, 91–101, 144, 150, 151, 154–57, 159–63, 165, 282, 330, 677
 Hillen v ICI (Alkali) Ltd (1936), 589
 Hills v Potter (1984), 129, 363, 449, 717
 Hilton v Smith (1979), 846

xlii Table of Cases

- Hilton v Thomas Burton (Rhodes) Ltd (1961), 997
 Hincks v Sense Network Ltd (2018), 189
 Hinds v Liverpool CC (2009), 668
 Hines v King Sturge LLP (2010), 167, 174
 Hinz v Berry (1970), 221
 Hirose Electrical UK Ltd v Peak Ingredients Ltd (2011), 833, 835, 848, 850, 852, 862, 864, 866, 881, 905
 Hiscox Syndicates Ltd v Pinnacle Ltd (2008), 392, 396, 415
 HK (Serious Medical Treatment) (2017), 723
 HL v UK (2004), 58
 Hoare v McAlpine (1923), 924
 Hobbs (E) (Farms) Ltd v Baxenden Chemical Co Ltd (1992) - see E Hobbs (Farms) Ltd v Baxenden Chemical Co Ltd
 Hobbs v Robertson (2004), 520
 Holbeck Hall Hotel Ltd v Scarborough BC (2000), 329, 876, 878
 Holden v White (1982), 582
 Holdich v Lothian Health Board (2013), 59, 218, 239, 280
 Holding and Management (Solitaire) Ltd v Ideal Homes North West Ltd (2004), 250
 Hole v Ross-Skinner (2003), 79, 80, 84, 87
 Holgate v Lancashire Mental Hosp Bd (1937), 149
 Holliday v National Telephone Co (1899), 1008
 Hollywood Silver Fox Farm Ltd v Emmett (1936), 868
 Holman v Johnson (1775), 38
 Holmes v Ashford (1950), 161, 169, 174, 176
 Holt v Edge (2006), 293, 445
 Holt v Holroyd Meek Ltd (2002), 583
 Home Office v Dorset Yacht Co Ltd (1970), 7, 25, 40, 50, 54, 66, 69, 101-2, 145, 148-50, 153-60, 163, 396, 463, 464, 470, 646, 656, 919, 396
 Home Office v Mohammed (2011), 675, 671, 674-75, 681, 682
 Honeybourne v Burgess (2006), 625, 626
 Honeywill v Larkin (1934), 896
 Honeywill & Stein Ltd v Larkin Bros Ltd (1934), 1008
 Hopps v Mott Macdonald Ltd (2009), 359
 Hopwood v Thorn (1849), 756
 Horne-Roberts v SmithKline Beecham plc (2001), 190, 192
 Horrocks v Lowe (1975), 818, 820
 Horsley v MacLaren (CA 1970), 102
 Horsley v MacLaren (The Opopogo) (SCC 1972), 383
 Horton v Evans (2006), 459, 464
 Horton v Jackson (1996), 337, 612
 Horton v Sadler (2006), 117, 119, 135
 Hosking v Runting (2004), 322, 328, 329, 335, 375
 Hotson v East Berkshire AHA (1987), 410-12, 422, 471-75, 485, 486
 Houna v Allen (2015), 39
 Howlett v Holding (2006), 260, 277, 279
 Howmet Ltd v Economy Devices Ltd (2016), 416
 Hoystead v Commr of Taxation (1926), 142
 Hribar v Wells (2005), 511
 Hucks v Cole (1993), 370, 373
 Hudson v Ridge Manufacturing Co Ltd (1957), 226
 Hudson v Solicitors Regulation Authority (2017), 401
 Hufford v Samsung Electronics (UK) Ltd (2014) 179, 205, 217
 Hugh v Gray (2006), 217
 Hughes v Alan Dick & Co Ltd (2008), 790
 Hughes v Lord Advocate (1963), 238, 489, 491, 494-95
 Hughes v Midnight Theatre Co (1998), 620
 Hughes v National Union of Mineworkers (1991), 100-1
 Hulley v Silversprings Bleaching and Dyeing Co Ltd (1922), 894
 Humber Oil Terminal Trustee Ltd v Sivand, Owners of Ship (1998), 459, 467
 Humber v Fisher (t/a Children's Party Bouncers) (2000), 617
 Humphrey v Aegis Defence Services Ltd (2016), 359
 Hunt v Severs (1994), 203, 548
 Hunter v British Coal Corp (1999), 232, 233, 247-48
 Hunter v Canary Wharf Ltd (1997), 254, 398, 399, 412, 466, 467, 833, 835-41, 851-52, 855-56, 858-63, 868-70, 873, 881, 884, 900, 902-3, 905, 922
 Hunter v CC of the West Midlands Police (1982), 147
 Hussain v CC of West Mercia Constabulary (2008), 223-25, 403
 Hussain v King Edward VII Hosp (2012), 392
 Hussain v Lancaster CC (1998), 73, 843, 845, 848
 Hutcheson (formerly known as KGM) v NGN Ltd (2011), 331, 337, 340, 342, 347, 348, 352, 355, 357, 375
 Hutchinson v Leeds HA (2000), 375
 Hyland Labs v Superior Court of California (1985), 191
 Hynes v Harwood (1935) see Haynes v Harwood
 ICDL GCC Foundation FZ-LLC v European Computer Driving Licence Foundation Ltd (2012), 53
 ICL Tech Ltd v Johnston Oils Ltd (2012), 362, 398
 Ibrahim v Swansea University (2012), 778, 788
 Ide v ATB Sales Ltd (2007), 190, 194, 204-206, 217
 Ifedha v Kilburn Times North West London Newspapers (2010), 822
 Ilkiw v Samuels (1963), 996
 Impact Funding Solutions Ltd v AIG Europe Ins Ltd (2016), 199
 Imperial Chemical Industries (ICI) Ltd v Shatwell (1965), 69, 455, 517, 526, 528-30, 534, 971
 Independiente Ltd v Music Trading On Line (HK) Ltd (2003), 287
 Inline Logistics Ltd v UCI Logistics Ltd (2001), 320
 Inverell MC v Pennington (1993), 297

xliii Table of Cases

- Investors Compensation Scheme v West Bromwich Building Socy (1999), [294](#)
 Iqbal v Dean Manson Solicitors (2011), [258](#), [262–265](#), [281](#), [289](#), [825](#)
 Iqbal v Whipps Cross Univ Hosp NHS Trust (2007), [549](#)
 Ireland v David Lloyd Leisure Ltd (2013), [618](#), [635](#)
 Ireland v South Tyneside NHS Foundation Trust (2016), [415](#)
 Irvine v Talksport Ltd (2003), [6](#)
 Irving v Post Office (1987), [994](#), [996](#), [1002](#)
 Islam Expo Ltd v The Spectator (1828) Ltd (2010), [785](#)
 Island Records Ltd, *ex p* (1978), [459](#), [460](#)
 Islington LBC v Elliott (2012), [909](#)
 Islington LBC v University College London Hosp NHS Trust (2005), [51](#), [53](#), [56](#), [63](#), [120](#), [172](#), [197](#), [201–3](#)
 J (a child) v Wilkins (2001), [524](#)
 J (A Minor) (Wardship: Medical Treatment), *Re* (1991), [723](#)
 J (children), *Re* (2013), [427](#)
 Jackson v Harrison (1978), [47](#)
 Jackson v Murray (2015), [515](#), [520](#), [522–24](#)
 Jacobi v Griffiths (1999), [973](#), [993](#)
 Jaensch v Coffey (1984), [261](#), [262](#)
 Jagger v Darling (2005), [336](#), [375](#), [377](#), [378](#)
 Jaguar Cars Ltd v Coates (2004), [248](#)
 Jain v Trent Strategic HA (2009), [642](#), [668](#), [672–73](#), [681](#)
 Jameel v Dow Jones & Co Inc (CA 2005), *aff'd*: *Jameel v Wall Street Journal* (HL 2007), [761–65](#), [768](#), [772](#), [788](#), [790](#), [791](#), [802](#), [812–18](#), [831](#)
 Jameel v Wall Street Journal (2004), [766](#), [769](#)
 James v Campbell (1832), [695](#)
 James-Bowen v Commr of Police (2018), [65](#), [66](#), [70](#), [191](#), [168](#), [282](#)
 Jameson v Central Electricity Generating Board (1998, 2000), [316–318](#)
 Jan de Nul (UK) Ltd v NV Royale Belge (2000), [385](#), [396](#), [406](#), [407](#), [419](#)
 Janvier v Sweeney (1919), [464](#), [469](#)
 Japp v Virgin Holidays Ltd (2013), [616](#)
 Jarvis v Swan Tours Ltd (1973), [239](#)
 Jayes v IMI (Kynoch) Ltd (1985), [517](#)
 JD v East Berkshire Community Health NHS Trust (2005), [22](#), [25](#), [35](#), [47](#), [216](#), [221](#), [229](#), [259](#), [270](#), [377](#), [565–66](#), [656](#), [661–66](#), [672](#), [674](#), [678–79](#)
 JD v Mather (2012), [474](#), [476](#)
 JD Williams & Co Ltd v Michael Hyde & Associates Ltd (2000), [377](#), [379](#), [380](#)
 Jehovah's Witness of Moscow v Russia (2011), [727](#)
 Jensen v Faux (2011), [23](#), [26](#)
 Jersild v Denmark (1995), [356](#)
 Jetivia SA v Bilta (UK) Ltd (2015), [39](#)
 Jewson v Gatti (1886), [601](#)
 Jeynes v News Magazines Ltd (2008), [778](#), [781–83](#)
 JGE v Portsmouth Roman Catholic Diocesan Trust (2012), [975](#), [977](#), [979](#), [981](#), [1001](#)
 JIH v News Group Newspapers Ltd (2011), [340](#)
 JJ Coughlan Ltd v Ruparelia (2003), [71](#)
 Jobling v Associated Dairies Ltd (1982), [481–84](#)
 John v Central Manchester and Manchester Children's University Hospitals NHS Foundation Trust (2016), [441](#)
 John v MGN Ltd (1997), [827](#), [830](#)
 John v Price Waterhouse (2001), [318](#)
 John v Rees (1970), [287](#)
 Johnson (t/a Johnson Butchers) v BJW Property Developments Ltd (2002), [847–48](#), [937](#), [956–58](#)
 Johnson v Biggs (2000), [140](#)
 Johnson v CC of Surrey (1992), [129](#)
 Johnson v Gore Wood & Co (2001), [142](#), [147](#), [148](#)
 Johnson v Le Roux Fourie (2011), [217](#)
 Johnson v MGN Ltd (2009), [142](#), [771](#), [772](#), [772](#), [774](#), [774](#)
 Johnston v CC of Merseyside Police (2009), [136](#), [139](#)
 Johnston v NEI Intl Combustion Ltd (2008), [118](#), [225–26](#), [229](#), [232](#), [242](#), [245](#), [277–79](#), [287](#), [404–7](#), [499](#), [554](#)
 Johnstone v Bloomsbury HA (1991), [243](#)
 Jolley v Sutton LBC (2000), [17](#), [340](#), [487](#), [488](#), [490](#), [491](#), [493](#), [494](#), [495](#), [505](#), [506](#), [612](#)
 Jolliffe v Willmetts & Co (1971), [1004](#), [1005](#)
 Jones v Baldwin (2010), [110](#), [111](#), [112](#)
 Jones v BBC (2000), [583](#), [589](#)
 Jones v British Broadcasting Corp (2007), [594](#), [622](#), [969](#)
 Jones v Dennison (1971), [303](#)
 Jones v Ffestiniog Rwy Co (1868), [928](#)
 Jones v Jones (1916), [758](#)
 Jones v Kaney (2011), [6](#), [71](#), [824](#), [825](#)
 Jones v Livox Quarries (1952), [519](#), [522](#)
 Jones v Manchester Corp (1952), [305](#), [311](#), [344](#), [345](#)
 Jones v Metal Box Ltd (2007), [437](#)
 Jones v Miles Labs (1987), [191](#)
 Jones v North West Strategic HA (2004), [132](#), [135–37](#), [141](#), [450–52](#)
 Jones v Ruth (2010), [255](#), [257](#), [258](#), [273–276](#), [851](#), [866](#), [904–6](#)
 Jones v Sec of State for Energy and Climate Change (2012), [427](#), [438](#), [449](#)
 Jones v Skelton (1963), [770](#)
 Jones v South Tyneside HA (2001), [445](#)
 Jones v Stones (1999), [897](#)
 Jones v Taunton and Somerset NHS Foundation Trust (2019), [342](#), [364](#), [372](#)
 Jones v Tower Boot Co Ltd (1997), [72](#)
 Jones v Wright (1991), [155](#)
 Jordan v Achara (1988), [585](#), [597](#)
 Joseph v Farrer & Co LLP (2017), [205](#)
 Joseph v Spiller (2010), [63](#), [750](#), [751](#), [776](#), [796–801](#), [811](#)
 Jowhari v NHS England (2014), [673](#), [675](#)
 Joyce v Merton Sutton and Wandsworth HA (1995), [369](#)

xliv Table of Cases

- Joyce v O'Brien (2012), [47](#), [48](#), [50](#), [533](#)
 JR v Sheffield Teaching Hosps NHS Foundation Trust (2017), [550](#)
 Ju v See Tho Kai Yin (2005), [126](#)
 Junior Books Ltd v Veitchi Co Ltd (1983), [41](#), [156](#)
 K v Police Service of Scotland (2019), [286](#)
 K v Sec of State for the Home Dept (2002), [63](#), [65](#), [148](#), [149](#), [150](#), [163](#)
 Kadir v Mistry (2014), [217](#)
 Kafagi v JBW Group Ltd (2018), [980](#)
 Kalma v African Minerals Ltd (2018), [988](#)
 Karpov v Browder (2013), [763](#)
 Kaschke v Gray and Hilton (2010), [64](#), [762–63](#), [773](#), [781](#)
 Kaschke v Osler (2010), [149](#), [764](#), [773](#), [781](#)
 Kay v Ayrshire and Arran Health Board (1987), [421](#), [422](#), [425](#)
 Kay v ITW Ltd (1968), [997](#)
 Kay v Lambeth LBC (2006), [663](#)
 Kaye v Robertson (1991), [322](#), [326](#), [329](#)
 KD v CC of Hampshire (2005), [276](#), [278](#), [280](#), [282](#), [284](#)
 Kearn-Price v Kent CC (2002), [64](#)
 Keating v Bromley LBC (1995), [669–70](#)
 Keefe v Isle of Man Steam Packet Co Ltd (2010), [484](#)
 Keegan v CC of Merseyside (2003), [5](#), [16](#)
 Keenan v UK (2001), [554](#)
 Kelly v Board of Governors of St Laurence's Hosp (1988), [297](#)
 Kelly v DPP (2002), [263](#)
 Kemeh v MOD (2014), [72](#)
 Kennaway v Thompson (1980), [848](#), [849](#), [867](#)
 Kennedy v Cordia (Services) LLP (Scotland) (2016), [415](#)
 Kensington Housing Trust v Oliver (1998), [416](#)
 Kent v Griffiths (2007), [25](#), [47](#), [88–90](#), [99](#), [102](#), [105–6](#), [115](#), [117–20](#), [133](#), [312](#), [314](#), [332](#), [383](#), [384](#), [651](#), [653](#), [678](#)
 Keown v Coventry Healthcare NHS Trust (2006), [590–91](#), [593](#), [595](#), [599](#), [602](#), [629](#), [632–35](#)
 Kerr v Kennedy (1942), [756](#), [757](#)
 Ketley v Brent (2012), [6](#)
 Keyse v Commr of Police (2001), [315](#)
 Khalid v Barnet & Chase Farm Hosp NHS Trust (2007), [456](#)
 Khan v Harrow LBC (2013), [355](#), [899](#)
 Khan v Meadows (2019), [74](#), [81](#), [506](#), [511](#)
 Khoo v Gunapathy d/o Muniandy (2002), [368](#), [373](#)
 Khorasandjian v Bush (1993), [254](#), [322](#), [466](#), [467](#), [470](#), [476](#), [838–40](#)
 Kiapasha (t/a Takeaway Supreme) v Laverton (2002), [589](#), [605](#), [617](#)
 Kimathi v FCO (2018), [3](#), [686](#)
 Kincaid v Hartlepool BC (2000), [613](#)
 King v Hoare (1844), [312](#)
 King v King (1987), [421](#), [423](#), [426](#)
 King v Medical Services Intl Ltd (2012), [255](#), [268](#), [269](#), [274](#), [522](#)
 King v Sunday Newspapers Ltd (2010), [261](#), [273](#)
 King v Sussex Ambulance NHS Trust (2002), [356](#)
 Kingsberry v Greater Manchester Strategic HA (2005), [365](#), [368](#)
 Kingston Cotton Mill Co (No 2), Re (1896), [488](#)
 Kirk v Brent LBC (2005), [877](#)
 Kirkham v Anderton (1990), [41](#), [42](#), [99](#), [531](#), [532](#)
 Kitchen v RAF Assn (1958), [475](#)
 Kite v Napp (1982), [98](#)
 Knauer v MOJ (2016), [544](#), [557](#)
 Knight v Home Office (1990), [294](#), [315](#), [331](#), [345](#)
 Knightley v Johns 98, [342–43](#), [459](#), [461–62](#)
 Knowles v Liverpool CC (1994), [241](#)
 Knupffer v London Express Newspapers Ltd (1944), [787](#)
 Kolasa v Ealing Hosp NHS Trust (2015), [589](#), [590](#), [599](#), [632](#), [636](#)
 Kooragang Investments Pty Ltd v Richardson & Wrench Ltd (1982), [994](#), [995](#)
 Kotke v Saffarini (2005), [30](#)
 Koursk, The (1924), [294](#), [295](#), [304](#)
 KR v Bryn Alyn Community Holdings Ltd (2003), [123](#), [131](#), [134](#), [136](#), [141](#), [344](#)
 KR v Royal & Sun Alliance plc (2006), [138](#)
 Kralj v McGrath (1986), [567–69](#)
 Kruber v Grzesiak (1963), [139](#), [140](#)
 Kuddus v CC of Leicestershire (2001), [60](#), [66](#), [374](#), [570](#), [571](#), [574](#), [745](#)
 Kushnir v Camden & Islington HA (1995), [369](#)
 Kuwait Airways Corp v Iraqi Airways Co (Nos 4 and 5) (2002), [3](#), [34](#), [35](#), [401](#), [416](#), [460](#), [467](#), [488](#)
 Kyriakou v Barnet and Chase Farms Hosp NHS Trust (2006), [393](#)
 L (A Child) v Reading BC (2003), [678](#)
 L (a minor) and B v Reading BC (2006), [668](#), [669](#)
 L (R) v Minister for Health and Children (2001), [482](#)
 L and P v Reading BC (2001), [665](#)
 Labbadia v Alitalia (Societa Aerea Italiana SPA) (2019), [148](#)
 Lachaux v Independent Print Ltd (CA 2018 SC 2019), [749](#), [755](#), [756](#), [764](#), [765](#), [772](#), [778](#), [806](#), [828](#)
 Lagden v O'Connor (2003), [502–3](#)
 Laing Ltd v Essa (2004) - see *Essa v Laing Ltd* [6](#)
 Lamb v Camden LBC (1985), [463](#)
 Lamb v Cotogno (1987), [575](#)
 Lambert v Barratt Homes Ltd (Manchester Division) (2009), [329](#), [879](#), [880](#), [935](#), [936](#)
 Lambert v Lewis (1982), [184](#)
 Lambert v VJ Glover Ltd (2019), [589](#)
 Land Securities plc v Fladgate Fielder (a firm) (2010), [2](#)
 Landcatch Ltd v Intl Oil Pollution Compensation Fund (1998), [211](#), [884](#)
 Lane v Holloway (1968), [50](#), [532](#), [733](#), [737](#), [738](#)
 Lane v Worcestershire Acute Hosps NHS Trust (2017), [310](#)
 Langridge v Levy (1837), [36](#)
 Larner v Solihull MBC (2001), [36](#), [645](#)
 Latham v R Johnson & Nephew Ltd (1913), [601](#)
 Latimer v AEC (1953), [225](#), [349](#), [352](#)
 Latin v Hosp for Sick Children (2007), [339](#)

xlv Table of Cases

- Laugher v Pointer (1826), 987
 Lavery v MOD (1984), 690
 Law Society v Kordowski (2011), 255, 263, 267, 287
 Law Society v KPMG Peat Marwick (2000), 186–87, 193–94
 Lawrence v Fen Tigers Ltd (2011), 852, 894
 Lawrence v Pembrokeshire CC (2006), 669, 680
 Laws v Socy of Lloyd's (2003), 170
 Lawson v Dawes (dec'd) (2006), 700, 701, 739
 LE Jones (Insurance Brokers) Ltd v Portsmouth CC (2002), 842
 Le Lievre v Gould (1893), 37, 170–71
 Leach v Gloucestershire Constabulary (1998), 216, 280, 282
 Leakey v National Trust for Places of Historic Interest or Natural Beauty (1980), 147, 329, 853, 875–80, 898
 Lear v Hickstead (2016), 493, 495
 Lee North v TNT Express (UK) Ltd (2001), 526, 530, 532, 542
 Lee v Taunton and Somerset NHS Trust (2001), 82, 84–85
 Leech v Independent Newspapers (Ireland) Ltd (2014), 775
 Leggett v Norfolk, Suffolk and Cambridgeshire Strategic HA (2006), 32, 341
 Leigh & Sullivan Ltd v Aliakmon Shipping Co Ltd (The Aliakmon) (1986), 207, 211
 Lejonvarn v Burgess (CA 2017, HC 2019), 199
 Leonard v Police Service of Northern Ireland (2016), 224
 Leroux v Canada Revenue Agency (2012), 459
 Les Laboratoires Servier v Apotex (2014), 39, 42
 Less v Hussain (2012), 74, 269, 551
 Lester v Woodgate (2010), 835, 897, 898
 Letang v Cooper (1965), 28, 693, 694
 Levi v Bates (CC 2012, CA 2015), 255, 261, 264–267, 271–273, 276, 284, 290, 773, 774, 777, 801, 819, 820, 827, 828
 Lewis v Daily Telegraph Ltd (1964), 805
 Lewis v Six Continents plc (2005), 589, 611
 Lewis v Univ of Bristol (1999), 173
 Lexmead (Basingstoke) Ltd v Lewis (1982), 184
 Lexus Financial Services plc v Russell (2008), 174, 190, 205
 Liberty Fashion Wears Ltd v Primark Stores Ltd (2015), 763
 Liennard v Slough BC (2002), 361
 Liesbosch Dredger (Owners of) v Owners of SS Edison (The Liesbosch) (1933), 502–3
 Lillington v MOD (2015), 477
 Lilly & Co Ltd v James (2009), 189
 Lillywhite v University College London Hosp NHS Trust (2005), 293, 316, 341, 373, 386, 388, 389
 Lim Poh Choo v Camden and Islington AHA (1980), 545
 Limpus v London General Omnibus Co (1862), 996
 Lindahl (Estate of) v Olsen (2004), 307
 Lindsay v Mid-Western Health Board (1993), 386, 390, 391, 393
 Linklaters Business Services v McAlpine Ltd (2010), 22, 159, 183, 208
 Lippiatt v South Gloucestershire CC (1999), 73, 844, 845, 848, 853, 925
 Lister v Hesley Hall Ltd (2001), 73, 138, 397, 965, 967, 971–73, 990–1000, 1002
 Lister v Romford Ice & Cold Storage Co Ltd (1957), 968–70
 Liverpool Women's Hosp NHS Foundation Trust v Ronayne (2015), 254, 271
 Livingstone v MOD (1984), 695
 Livingstone v Rawyards Coal Co (1880), 544
 Lloyd v Grace Smith & Co (1912), 71, 965, 994, 996, 997, 1002
 Loyde v West Midlands Gas Board (1971), 385, 386, 392–93
 LMS Intl Ltd v Styrene Packaging and Insulation Ltd (2005), 327, 328, 919, 924, 928, 929, 935, 936, 938–41, 957
 Lochgelly Iron & Co Ltd v McMullan (1934), 249
 Lockheed Martin Corp v Willis Group Ltd (2010), 192
 Loftus-Brighan v Ealing LBC (2003), 881
 London Passenger Transport Board v Upson (1949), 423
 London v Graving Dock Co Ltd v Horton (1951), 594, 621
 Lonrho Ltd v Shell Petroleum Co Ltd (No 2) (1982), 434, 438, 441
 Lonrho plc v Fayed (No 5) (1993), 756
 Lonzim plc v Sprague (2009), 763
 Lopez Ostra v Spain (1995), 841, 912
 Lord Browne of Madingley v Associated Newspapers Ltd (2008), 339–342, 354
 Lord McAlpine v Bercow (2013), 792
 Lough v Intruder Detection and Surveillance Fire and Security Ltd (2008), 583, 609, 618
 Loutchansky v Times Newspapers (Nos 2–5) (2001), 789, 813
 Love v Halfords Ltd (2014), 203, 217
 Lovell (Nee Geraghty) v Leeds CC (2009), 361, 395
 Lowe v Associated Newspapers Ltd (2007), 800
 Lowe v Guise (2002), 548, 553
 Lowe v Havering Hosp NHS Trust (2001), 370
 Lowery v Walker (1911), 603
 Lowns v Woods (1996), 106
 LT v Lothian NHS Health Board (2019)
 Luke v Kingsley Smith & Co (2003), 305, 306
 Lumba v Sec of State for the Home Dept (2011), 578, 686, 699, 700, 704, 709–11, 746–48
 Lumley v Gye (1853), 3, 886
 Lumsdon v Legal Services Board (2014), 4
 LXA in Willcox (2018), 744
 Lynch v Binnacle Ltd (t/a Cavan Co-op Mart) (2011), 221, 232

xlvi Table of Cases

- Lyons v QPM (2013), [428](#)
 M (A Minor) v Newham LBC (1995), [298](#), [657–58](#)
 M v Blackpool Victoria Hosp NHS Trust (2003), [365](#), [369](#)
 Ma v St George's Healthcare NHS Trust (2015), [802](#), [802](#), [803](#), [819](#), [820](#)
 Macarthy v Marks & Spencer plc (2014), [233](#)
 Maccaba v Lichtenstein (2004), [753](#), [758](#)
 MacDonald (or Cross) v Highlands and Islands Enterprise (2001), [232](#), [501](#)
 MacDonald v Pottinger (1953), [394](#)
 Macey v Warwickshire HA (2004), [318](#), [341](#)
 MacIntyre v MOD (2011), [222](#), [228](#)
 Mackin v SV Drumgath Parish (2008), [622](#)
 Macleod v Commr of Police (2014), [315](#)
 Maddocks v Clifton (2001), [586](#), [589](#), [609](#), [611](#), [618](#)
 Maga v Archbishop of Birmingham (2010), [967–77](#), [1000](#)
 Magill v Royal Group of Hospitals (2010), [696](#)
 Maguire v Sefton MBC (2006), [581](#), [589](#), [604](#), [623](#)
 Maharaj v Eastern Media Group Ltd (2010), [759](#), [761](#)
 Majrowski v Guy's and St Thomas's NHS Trust (2006), [254](#), [257](#), [259](#), [270](#), [271](#), [281](#), [282](#), [286](#), [288](#), [332](#), [429](#), [293](#), [363–66](#)
 Makepeace v Evans Bros (Reading) (a firm) (2000), [583](#), [595](#)
 Makudi v Baron Triesman of Tottenham (2013), [825](#)
 Malette v Shulman (1990), [714](#), [715](#)
 Malfroot v Noxal Ltd (1935), [162](#)
 Mallett v McMonagle (1970), [409–10](#), [477](#), [489](#), [556](#)
 Malone v Laskey (1907), [838–40](#), [906](#)
 Malone v Metropolitan Police Commissioner (1979), [322](#)
 Malone v UK (1984), [324](#)
 Maloney v Torfaen CBC (2005), [581](#), [603](#), [629](#), [631](#)
 Malvicini v Ealing Primary Care Trust (2014), [547](#), [549](#)
 Manchester Building Socy v Grant Thornton UK LLP (2019), [509](#), [524](#)
 Mann v Northern Electric Distribution Ltd (2010), [633](#)
 Mansfield v Weetabix Ltd (1998), [14](#), [303–5](#)
 Marc Rich & Co AG v Bishop Rock Marine Co (1995), [12](#), [13](#), [25](#), [68](#), [70](#), [72](#), [609](#)
 Marcic v Thames Water Utilities Ltd (2003), [852](#), [890–92](#), [913](#)
 Mardas v New York Times Co (2009), [790](#)
 Marex Financial Ltd v Fluxo-Cane Overseas Ltd (2010), [53](#)
 Margereson v J W Roberts Ltd (1996), [917](#)
 Markt & Co Ltd v Knight Steamship Co Ltd (1910), [0 287](#)
 Marriott v West Midlands Regional HA (1999), [365](#)
 Marsden v Bourne Leisure Ltd (2009), [607](#)
 Marshall v Schembri (2019), [485](#)
 Martin v Martin Baker Engineering Co Ltd (1983), [623–24](#)
 Marwan Nawaf Nayef Raj-Abu-Shkara v Hillingdon HA (1996), [308](#)
 Mason v Levy Auto Parts of England (1967), [924](#), [928](#), [936–38](#), [957](#), [959](#)
 Mason v Satelcom Ltd (2007), [224](#), [246](#)
 Mason v Williams & Williams Ltd (1955), [172](#), [173](#), [179](#)
 Matthews v MOD (2003), [13](#), [223](#)
 Matthews v Wicks (1987), [106](#), [108](#), [115](#), [116](#)
 Mattis v Pollock (t/a Flamingo's Nightclub) (2003), [999](#)
 Maxwell v Pressdram Ltd (1987), [67](#)
 Maynard v West Midlands Region HA (1985), [32](#), [293](#), [363–66](#)
 MB, Re (1997), [123](#)
 Mbasogo v Logo Ltd (2006), [466](#), [468](#), [695–98](#)
 MCA Records Inc v Charly Records Ltd (2001), [294](#), [295](#)
 McAleer v PSNI (2014), [732–33](#), [737–39](#), [742](#)
 McAllister v Lewisham and North Southwark HA (1993), [132](#), [450](#)
 McAteer v Police Service of Northern Ireland (2018), [95](#), [98](#), [100](#), [148](#)
 McCafferty v Metropolitan Police Receiver (1977), [222](#)
 McCafferty v Scott's Caravans (2011), [217](#)
 McCarthy v Highland Council (2011), [226](#)
 McCook v Lobo (2002), [595](#)
 McCoy v East Midlands Strategic HA (2011), [61](#)
 McCracken v Smith (2015), [42](#), [43](#), [48](#), [50](#)
 McCreaner v MOJ (2014), [639](#), [705](#)
 McCrindle Group Ltd v Maclay Murray & Spens (2013), [476](#), [478](#)
 McCullagh v Lane Fox & Partners (1995), [172](#)
 McDermid v Nash Dredging and Reclamation Co Ltd (1987), [222](#), [250](#), [251](#), [1007](#)
 McDonagh v Kent AHA (1985), [590](#)
 McDonald v Dept for Communities and Local Govt (2013 CA, 2014 SC), [232](#), [450](#)
 McDonald v Highlands & Islands Enterprise (2001), [338](#)
 McDonald v Tees HA (1996), [423](#)
 McDonnell v Commr of Police (2015), [729](#)
 McElhatton v McFarland (2012), [238](#)
 McElroy Milne v Commercial Electronics Ltd (1993), [36](#)
 McErean v Rt Rev Monsignor McAuley (2014), [227](#), [233](#), [358](#)
 McFarlane v EE Caledonia Ltd (1993), [247](#)
 McFarlane v Tayside Health Board (2000), [66–67](#), [70](#), [73–83](#), [85](#), [127](#), [161](#), [250](#), [512](#), [551–52](#), [573](#)
 McGaughey v Sunday Newspapers Ltd (2010), [319](#)
 McGeer v McIntosh (2017), [515](#), [523](#)
 McGeown v Northern Ireland Housing Executive (1995), [582](#)
 McGhee v National Coal Board (1973), [237](#), [400](#), [416–29](#), [431](#), [435](#), [437–42](#), [473](#), [475](#)
 McGinley or Titchener v British Rwys Board (1983), [632](#)

xlvii Table of Cases

- McGivney v Golderslea Ltd (1997), 336, 382, 610, 616
- McGlinchey v General Motors UK (2012), 196, 204, 207, 216
- McGlone v British Rwys Board (1966), 396, 528, 614
- McGovern v Sharkey (2014), 369
- McGowan v Barr & Co (1929), 38
- McGrath v Dawkins (Rev 1) (2012), 809, 810
- McGuinn v Lewisham and Greenwich NHS Trust (2017), 369, 373
- McHale v Watson (1996), 300–2
- McIntyre v Grigg (2006), 574
- McKaskie v Cameron (2009), 79, 96, 99, 102, 112–115
- McKay v Essex AHA (1982), 83, 125–27
- McKee v Miles Labs (1987), 191
- McKenna v British Aluminium Ltd (2002), 841, 921
- McKennitt v Ash (2008), 326, 331, 338, 339, 341, 349, 368
- McKenny v Foster (t/a Foster Partnership) (2008), 81, 82, 91, 97, 100, 103
- McKenzie v Potts (1995), 307, 310
- McKeown v British Horseracing Authy (2010), 385
- McKew v Holland & Hannen & Cubitts (Scotland) Ltd (1970), 461, 466–67, 516
- McKie v Swindon College (2011), 187
- McLaren Transport Ltd v Somerville (1996), 572
- McLaughlan v Edwards (2004), 169
- McLaughlin v Lambeth BC (2010), 767
- McLelland v Greater Glasgow Health Board (2001), 82, 85
- McLeod v UK (1998), 280
- McLoughlin v Jones (2006), 231, 243, 281, 282
- McLoughlin v O'Brian (1983), 220, 221, 224, 237, 251, 254, 257, 261, 383
- McMahon v Dear (2014), 320
- McManus v Beckham (2002), 754, 789, 790
- McNamara v North Tyneside MBC (1997), 589
- McPherson v Smith (2018), 515
- McQuaker v Goddard (1940), 77, 78
- McTear v Imperial Tobacco Ltd (2005), 155, 160, 169, 170, 171, 176, 177, 181, 183, 189
- McVicar v UK (2002), 62, 802
- McWilliams v Sir William Arrol & Co Ltd (1962), 237, 410, 451
- Meadows Care Ltd v Lambert (2014), 768
- Meah v McCreamer (No 2) (1986), 50
- Mear v Cambridgeshire CC (2006), 393
- Medcalf v Mardell (2003), 825
- Meek v British Rwys Board (1983), 1002
- Meering v Grahame-White Aviation Co Ltd (1919), 700, 703
- Meiklejohn v St George's Healthcare NHS Trust (HC 2013, CA 2014), 132, 137, 457
- Meldrum v Australian Broadcasting Corp (1932), 755
- Melville v Home Office (2005), 285–86
- Mengi v Hermitage (2012), 760
- Merchant Prince, *The* (1892), 343
- Merrett v Babb (2001), 112, 175
- Merricks v Mastercard Inc (2019), 544
- Mersey Docks and Harbour Board v Coggins & Griffith (Liverpool) Ltd (1947), 981, 982–88, 1003, 1010–11
- Merseyside Police v McCarthy (2016), 694
- Merson v Cartwright (Bahamas) (2005), 747–48
- Merthyr Tydfil Car Auction Ltd v Thomas (2013), 907
- Merthyr Tydfil County BC v C (2010), 149, 153, 155, 158, 161–62, 232, 669
- Metropolitan Asylum District v Hill (1880–81), 794, 891
- Metropolitan Intl Schools Ltd v Designtechnica Corp and Google (2009), 794
- Metropolitan Board of Works v McCarthy (1874–75), 413, 418
- Michael Hyde & Associates Ltd v JD Williams & Co Ltd - see JD Williams & Co Ltd v Michael Hyde & Associates Ltd
- Michael v Chief Constable of South Wales Police (CA 2012, SC 2015), 25, 93–99, 101, 111, 120, 143, 144, 148, 151, 154, 156, 158, 164, 165, 648, 649, 656, 664–65, 681
- Michaels v Taylor Woodrow Developments Ltd (2000), 459
- Mickle v SA Grace Hosp (1998), 128
- Mid Suffolk DC v Clarke (2006), 389, 410, 416
- Midland Bank Trust Co Ltd v Hett, Stubbs & Kemp (1979), 19
- Midwood v Manchester Corp (1905), 857, 924
- Miles v Forest Rock Granite Co (Leicestershire) Ltd (1918), 924
- Miles v Judges (1997), 308
- Milka v Chetwynd Animal By-Products (1995), 852, 904
- Miller v Associated Newspapers Ltd (2010), 774
- Miller v Jackson (1977), 414, 867, 873–74, 908
- Millharbour Management Ltd v Weston Homes Ltd (2011), 24
- Mills v Brooker (1919), 912
- Mills v News Group Newspapers (2001), 325, 328
- Mills v Oxford Univ Hosps NHS Trust (2019), 137, 452, 453, 536
- Milne v Express Newspapers (No 1) (2004), 630
- Milroy v BT plc (2015), 523
- Milstead v Wessex Roofline Ltd (2005), 222
- Minister for Education and Skills v Boyle (2018), 992
- Ministry of Housing and Local Government v Sharp (1970), 431
- Mionis v Democratic Press SA (2017), 826
- Mirant-Asia Pacific Ltd v Oapil (2004), 19, 361
- Mirant-Asia Pa'cific Ltd v Ove Arup and Partners Intl (2004), 18
- Mirvahedy v Henley (2003), 77–79, 82, 89, 90, 92, 93, 94–100, 103, 107

xlviii Table of Cases

- Mirza v Bhandal (1999), 25
 Mirza v Birmingham HA (2001), 122, 341
 MIS Ltd v Designtechnica Corp (2009), 804
 Mitchell v Evening Chronicle (2003), 786–87, 811
 Mitchell v Glasgow CC (2008), 26, 42, 46, 49, 54,
 101–3, 143–46, 149, 153–56, 158, 160–65, 470, 655
 Mitchell v United Co-operatives Ltd (2012), 234
 Mitchell v W S Westin Ltd (1965), 517
 Mitton v Benefield (2011), 260, 262, 279,
 283–285
 MOD v Radclyffe (2009), 113, 118
 Mohamad v WM Morrison Supermarkets plc (CA
 2014 SC 2016), 963–65, 971–73, 975–76, 991–92,
 994–95, 998, 1000–2
 Mohmed v Barnes (2019), 314, 542
 Monarch Airlines Ltd v London Luton Airport Ltd
 (1997), 589, 636
 Monk v PC Harrington Ltd (2008), 185, 233, 234,
 256, 283
 Monk v Warbey (1935) 439, 445, 458
 Monsanto plc v Tilly (2000), 6
 Monson v Tussauds (1894), 753–55
 Montgomery v Lanarkshire Health Board (CSOH 2013,
 SC 2015), 131–36, 138–41, 448, 451, 456, 535–39,
 717
 Montreal Tramways Co v Leveille (1933), 61
 Moon v Towers (1860), 7, 9
 Moore Stephens (a firm) v Stone Rolls Ltd (in liq)
 (2009) – see Stone Rolls Ltd (in liq) v Moore
 Stephens (a firm)
 Moores v Bude-Stratton TC (2001), 72
 Morgan Crucible Co plc v Hill Samuel Co Ltd (1973),
 185–86
 Morgan v Odhams Press Ltd (1971), 783–84
 Morgans v Launchbury (1973), 70, 74, 75
 Morin v Bonhams & Brooks Ltd (2003), 294
 Morris v Beardmore (1981), 322
 Morris v CW Martin & Sons Ltd (1966), 995, 997
 Morris v Ford Motor Co Ltd (1973), 970
 Morris v KLM Royal Dutch Airlines (2002), 225
 Morris v Murray (1991), 527–35
 Morris v Wentworth-Stanley (1999), 313
 Morrison Sports Ltd v Scottish Power (2010), 243,
 432, 435, 437–440, 445
 Morrison Steamship Co Ltd v Greystoke Castle (Cargo
 Owners) (1947), 212
 Morrissey v Health Service Executive (2019), 226
 Morse v Barratt (Leeds) Ltd (1992), 21
 Morshead Mansions Ltd v Di Marco (2014), 432,
 433, 446, 451
 Mortgage Express Ltd v Joliffe & Flint (a firm) (1995),
 341
 Morton v Wheeler (1956), 384
 Mosley v Focus Magazin Verlag GmbH (2001), 783
 Mosley v News Group Newspapers Ltd (2008), 67,
 320, 321, 325, 330, 331, 335–339,
 340, 343, 348, 358, 362, 364–375,
 391
 Moto Hospitality Ltd v Secretary of State for
 Transport (2007), 407, 408
 Moto-Land UK Ltd v Lawrence (2012), 852
 Mouchel Ltd v Van Oord (UK) Ltd (2011), 303
 Mowan v Wandsworth LBC (2001), 845–47
 Moy v Pettmann Smith (a firm) (2005), 131
 Moynihan v Moynihan (1975), 9, 74
 MS v Lincolnshire CC (2011), 361
 Mueller Europe Ltd v Central Roofing (South Wales)
 Ltd (2013), 465
 Muir v Glasgow Corp (1943), 31
 Muirhead v Industrial Tank Specialities Ltd (1986),
 158, 164, 184
 Mulcahy v MOD (1996), 70
 Mulholland v McCrea (1961), 554
 Mullaney v Brenwal Ltd (2012), 228
 Mullen v AG Barr (1929), 38
 Muller v King's College Hospital NHS Foundation
 Trust (2017), 375, 378
 Mullin v Richards (1997), 301–4
 Multiple Claimants v MOD (Pt 1) (2003), 294
 Multiple Claimants v Sanifo-Synthelabo Ltd (the FAC
 Group Litig) (2007), 60, 187, 188, 189
 Murdoch v Glacier Metal Co Ltd (1998), 864, 866
 Murphy v Brentwood DC (1991), 16, 17, 18,
 20, 21, 22, 23, 43, 157, 160, 168,
 215
 Murphy v Culhane (1977), 42, 50, 519, 734–36, 738
 Murray v Associated Newspapers Ltd (2008), 342
 Murray v Express Newspapers Ltd (HC 2007,
 CA 2008), 320, 325, 336, 337, 342,
 349, 351, 365, 430, 437
 Murray v Kensington and Chelsea and Westminster
 AHA (1981), 423, 426
 Murray v MOD (1988), 703
 Musgrove v Pandelis (1919), 928, 939, 958
 Mustapha v Culligan of Canada Ltd (2008), 281
 Mutual Life and Citizens' Ass Co Ltd (MLC) v Evatt
 (1971), 177–78, 192
 Myer Stores Ltd v Soo (1991), 701–2
 N v ACCG (2017), 722–23
 N v CC of Merseyside Police (2006), 1000
 N v Sec of State for the Home Dept (2014), 5
 Nail v News Group Newspapers Ltd (2005), 826
 Naraji v Shelbourne MD (2011), 143, 144,
 147
 Nash v Eli Lilly & Co (1993), 122, 123
 National Coal Board v England (1954), 38
 National Coal Board v JE Evans & Co (Cardiff) (1951),
 693
 National Westminster Bank plc v Spectrum Plus Ltd
 (2005), 6
 Nautical Challenge Ltd v Evergreen Marine (UK) Ltd
 (2019), 503
 Nawoor v Barking Havering and Brentwood HA
 (1998), 333
 Naylor (t/a Mainstreet) v Payling (2004), 625, 1005–6
 Ndri v Moorfields Eye Hosp NHS Trust (2006), 369

xlix Table of Cases

- Neill v Moore (2019), 523
 Neil Martin Ltd v HMRC (HC 2006, CA 2007), 46,
 431, 446, 639, 645, 651
 Neocleous v Jones (2011), 272, 281, 287
 Nessa v Walsall MBC (2000), 610
 Nettleship v Weston (1971), 49, 55, 304–7, 324, 526,
 529, 531, 534–35
 Network Rail Infrastructure Ltd v Conarken Group
 Ltd (2010)- see Conarken Group Ltd v Network Rail
 Infrastructure Ltd
 Network Rail Infrastructure Ltd v Morris (t/a
 Soundstar Studio) (2004), 853–54, 856, 883,
 887–88
 Network Rail Infrastructure Ltd v Williams (2018),
 833, 854, 880, 902–3, 909
 New South Wales (State of) v Lepore (2003), 971, 973
 Newson Holding Ltd (WH) v IMI plc (2012), 451
 Newstead v London Express Newspapers Ltd (1940),
 786
 Newton v Cammell Laird & Co (Shipbuilders and
 Engineers) Ltd (1969), 123
 Newton v Edgerley (1959), 9
 Ng Keng Yong v Public Prosecutor (2004), 306
 Ng v Lee (1998), 314
 Nichols v Marsland (1876–77), 944–45
 Nicholson v Atlas Steel Foundry and Engineering Co
 Ltd (1957), 423
 Nimmo v Alexander Cowan & Sons Ltd (1968), 247,
 450
 Niru Battery Manufacturing Co v Milestone Trading
 Ltd (2003), 47–48
 NOC Inc v Schaefer (1984), 334
 Nocton v Lord Ashburton (1914), 170–71
 Noorani v Calver (2009), 757
 North Glamorgan NHS Trust v Walters (2002), 216,
 220, 227, 241, 248, 264, 269, 273
 Northumbrian Water Ltd v McAlpine Ltd (2014), 863,
 880, 883, 918, 937, 950, 955
 Northwestern Utilities Ltd v London Guarantee and
 Accident Co Ltd (1936), 947
 Nottingham CC v Zain (2002), 384, 389, 393,
 395
 Novartis Grimsby Ltd v Cookson (2007), 436
 Ntuli v Donald (2010), 381
 NXS v Camden LBC (2009), 344, 663
 Nye Saunders & Partners (a firm) v Alan E Bristow
 (1987), 298, 361, 378, 379
 Nykredit Mortgage Bank plc v Edward Erdman Group
 Ltd (No 2) (1997), 118
 OBG Ltd v Allan (2005), 2, 3, 7
 O'Byrne v Aventis Pasteur MSD Ltd (2010), 187,
 190
 O'Byrne v Sanofi Pasteur MSD Ltd (2006), 188,
 192
 O'Connell v Jackson (1972), 522
 O'Connor v Lenihan (2005), 543
 O'Connor v Pennine Acute Hosp NHS Trust (2019),
 385
 Octavia Hill Housing Trust v Brumby (2010),
 844
 O'Dowd v Frazer-Nash (1951), 319–20
 Ogwo v Taylor (1988), 236, 354, 590
 O'Hare v Coutts (2016), 131
 O'Keefe v Harvey-Kembl (1998), 132
 O'Keefe v Hickey (2008), 75, 971, 992–93
 Okpabi v Royal Dutch Shell plc (2018), 917, 922
 Oliver v Ashman (1962), 549
 Oliver v Williams (2013), 474
 OLL Ltd v Sec of State for Transport (1997), 86–87
 Olloson v Lee (2019), 136, 138
 Olotu v Home Office (1996), 422, 433, 436,
 437, 439
 Olympic Delivery Authority v Persons Unknown
 (2012), 394, 415, 836, 843, 909
 Omagh Bombing case (2009), 687, 690, 692–94, 698,
 743–44, 746
 O'Neill v Dunnes Stores (2010), 108
 OPO v MLA (2014), 659
 Orchard v Lee (2009), 299–301, 396
 Organ Retention Litig, *The*, see *AB v Leeds Teaching
 Hosp NHS Trust* (2004)
 Ormrod v Crossville Motor Services Ltd (1953), 74
 Oropesa, *The* (1943), 465
 O'Rourke v Camden LBC (1998), 443, 649, 654
 O'Shea v MGN Ltd (2001), 786
 O'Shea v Royal Bgh of Kingston-upon-Thames (1995),
 616
 Osman v Ferguson (1993), 94, 96, 151, 154, 156–59,
 164, 677
 Osman v UK (1998), 101, 665, 677–79
 O'Sullivan v Little (1995), 129
 Overseas Tankship (UK) Ltd v Miller Steamship Co Ltd
 (Wagon Mound (No 2)) (1967), 52, 340, 400, 54,
 335, 348–49, 492, 882
 Overseas Tankship (UK) Ltd v Morts Dock and
 Engineering Co Ltd (Wagon Mound (No 1)) (1961),
 220, 244, 488–89
 Owers v Medway NHS Foundation Trust (2015), 270
 P (MN) v Whitecourt General Hospital (2004), 468
 P's Curator Bonis v Criminal Injuries Compensation
 Board (1997), 129
 Pacific Associates v Baxter (1990), 21
 Page Motors Ltd v Epsom & Ewell BC (1981), 844, 845
 Page v Smith (1996), 218–21, 228–301, 233, 235–36,
 241–46, 250–54, 257, 266, 274, 277, 281, 283, 488,
 497–501
 Paine v Colne Valley Electricity Supply Co Ltd (1938),
 167, 168
 Palmer v Palmer (2006), 152, 190, 201,
 203
 Palmer v Portsmouth Hosp NHS Trust (2017), 444
 Palmer v Tees HA (1999), 54, 65, 152–60, 162–64,
 177, 237, 249, 259–60, 263–64, 275
 Palsgraf v Long Island Rwy Co (1928), 55
 Parabola Investments Ltd v Browallia Cal Ltd (2010),
 477, 571

I Table of Cases

- Paris v Lewis (2015), 793
 Paris v Stepney BC (1951), 234, 338–39, 351
 Parker v CC of Essex (2018), 710, 748
 Parkinson v Lyle Shipping Co Ltd (1964), 242
 Parkinson v St James and Seacroft Uni Hospital NHS Trust (2001), 78–79, 81, 83–84, 552
 Parmer v Big Security Co Ltd (2008), 735–36
 Paros plc v Worldlink Group plc (2012), 187
 Patchett v Swimming Pool & Allied Trades Assn Ltd (2009), 168, 177–78
 Pate v Threlkel (1995), 144
 Patel v Sec of State for the Home Dept (2014), 702, 730, 742, 743, 745
 Paton v BPAS (1979), 62
 Patterson v MOD (1986), 226, 404
 Paull v Paull (2018), 392
 Payne and Payne v Maple Leaf Gardens Ltd (1949), 319
 Payne v John Setchell Ltd (2001), 18, 20, 21, 22, 23, 28
 Pearce v United Bristol Healthcare NHS Trust (1998), 132–33, 135–36, 536–37
 Pearson Education Ltd v Charter Partnership Ltd (2005), 167
 Pearson v North Western Gas Board (1968), 894
 Peck v UK (2003), 324, 329, 335, 337, 340, 359
 Peires v Bickerton's Aerodromes Ltd (2016), 852, 866, 895
 Pemberton v Southwark LBC (2000), 837
 Penney, Palmer and Cannon v East Kent HA (2000), 289, 341, 378–79
 Percival v Rosenberg (1999), 448
 Performance Cars Ltd v Abraham (1962), 481–82
 Perre v Apand Pty Ltd (1999), 488
 Perrett v Collins (1998), 12, 14, 70, 72, 114, 118, 120
 Perruche, *Re* (2000), 126
 Perry v Butlins (1998), 382, 593, 607
 Perry v Harris (2008), 30, 31
 Perry v Kendricks Transport Ltd (1956), 906, 921, 946
 Perry v Raleys Solicitors (2019), 474
 Peterhead Towage v Peterhead Bay Authority (1992), 442
 Peters v Prince of Wales Theatre (Birmingham) Ltd (1943), 948
 Petroleum Company of Trinidad and Tobago Ltd v Ryan (Trinidad and Tobago) (2017), 441, 485
 Pfeifer v Austria (2007), 751
 Phaestos Ltd v Ho (2012), 295, 317
 Phelps v Hillingdon LBC (2000), 112, 161, 296, 361, 443, 639, 647, 656, 661, 665, 670–71, 678
 Phillips v William Whitely Ltd (1938), 295
 Phillip v Whitecourt General Hosp (2004), 573
 Phillips v Britannia Hygienic Laundry Co Ltd (1923), 422, 434, 439, 451
 Phillips Products Ltd v Hyland (1987), 986
 Phipps v Rochester Corp (1955), 602, 606–7
 Phonographic Performance Ltd v Dept of Trade and Industry (2004), 456
 Pickering v Liverpool Daily Post (1991), 451
 Pickett v British Rail Engineering Ltd (1978), 29, 549–50
 Pidgeon v Doncaster HA (2002), 525
 Piper v JRI (Manufacturing) Ltd (2006), 189, 197, 204, 212
 Pirelli General Cable Works v Faber (1983), 127
 Pirtek (UK) Ltd v Jackson (2017), 831
 Pithers v Leeds Teaching Hospital NHS Trust (2004), 316
 Pitts v Hunt (1991), 38, 40, 42, 43, 46, 47, 515, 516, 537
 PL Private Finance Ltd v Arch Financial Products LLP (2014), 549
 Platt v Liverpool CC (1997), 633
 Pleural Plaques Litig *see* Grieves v FT Everard & Sons Ltd (CA 2006)
 Pleural Plaques Litig *see* Johnston v NEI Intl Combustion Ltd (HL 2008)
 Plum v Berry (2004), 0113
 Polanski v Condé Nast Publications Ltd (2005), 338
 Polemis & Furness, Withy & Co Ltd, *Re* (1921), 34, 489–90, 492
 Pollock v Cahill (2015), 619
 Polsue v Rushmer (1906), 864
 Pontardawe Rural DC v Moore-Gwyn (1929), 933
 Pook v Rossall School (2018), 393, 595
 Poole v Alpha Therapeutic Corp (1988), 191
 Poole BC v GN (CA 2017, SC 2019), 25, 43–46, 51, 66, 111, 119, 643, 647–52, 654–56, 664–65, 670–74, 676, 679
 Poppleton v Trustees of Portsmouth Youth Activities Committee (2007), 590
 Poulton v MOJ (2010), 431, 433, 436
 Powell v Boldaz (aka Boladz) (1997), 255, 267, 465, 474, 784
 Powell v Fall (1879–80), 921, 923, 956
 Poynter v Hillingdon HA (1997), 132, 136, 139, 537, 539
 PPX v Aulakh (2019), 521
 Pratley v Surrey CC (2003), 285, 498
 Pratt v DPP (2001), 264
 Pratt v Internet Refractories Ltd (2000), 517
 Prentice v Hereward Housing Assn (1999), 586, 623
 Price and Lowe v UK (2003), 141
 Price v Powell (2012), 331
 Priestley v Nottingham HA (1986), 582–83
 Primrose v Waterson (1902), 824–25
 Prince Albert v Strange (1849), 322
 Prince of Wales v Ass Newspapers Ltd (2006), 343, 348, 364
 Prison Officers' Assn v Iqbal (Rev 1) (2009), 687, 694, 704–7, 730, 740, 742
 Pritchard v JH Cobden Ltd (No 1) (1998), 505, 513
 Proactive Sports Management Ltd v Rooney (2011), 70
 Procanik v Cillo (1984), 126

li Table of Cases

- Proctor v Young (2009), 589, 604–5, 612, 614, 617, 619, 635
- Property Alliance Group Ltd (PAG) v Royal Bank of Scotland plc (2018), 176, 177
- Prosser (A) & Son Ltd v Levy (1955), 948
- PRP Architects v Reid (2006), 241, 242, 246, 248
- PT Civil Engineering v Davies (2017), 388
- Punjab National Bank v DeBoinville (1992), 19, 197
- Pusey v Somerset CC (2012), 848–50, 888
- PW v Chelsea and Westminster Hosp NHS Foundation Trust (2018), 725–27
- QBE Management Services (UK) Ltd v Dymoke (2012), 2
- Quinn v MOD (2018), 221
- R (a minor) (No 2), Re (1996), 351
- R (Amin) v Sec of State for the Home Dept (2004), 651
- R (FacTortame Ltd) v Sec of State for Transport, Local Govt and the Regions (2002), 2, 4
- R (Francis) v Sec of State for the Home Dept (2004), 730
- R (Gillan) v Commr of Police for the Metropolis (2006), 331
- R (Greenfield) v Sec of State for the Home Dept (2005), 913
- R (Laporte) v CC of Gloucester Constabulary (2006), 732
- R (on the application of Bourgass) v Sec of State for Justice (2011), 385
- R (on the application of Burke) v GMC (2004), 104
- R (on the application of Comninos) v Bedford BC (2003), 766
- R (on the application of Das) v Sec of State for the Home Dept (2014), 709
- R (on the application of Developing Retail Ltd) v East Hampshire Magistrates' Court (2011), 406
- R (on the application of Festiva Ltd) v Highbury Corner Magistrates Court (2001), 392, 398
- R (on the application of Hope & Glory Public House Ltd) v City of Westminster Magistrates' Court (2009), 406
- R (on the application of Wood) v Commr of Police for Metropolis (2009), 331, 337, 365
- R
- R v Broadcasting Standards Comm, ex p BBC (2001), 332, 333, 354
- R v Chapman (2015), 401
- R v Chargot Ltd (t/a Contract Services) (2008), 426
- R v Clarence (1888), 690
- R v Coonan (2011), 151
- R v Croydon HA (1998), 506
- R v Crozier (1990), 163
- R v Curtis (2010), 270
- R v Dept of Health, ex p Source Informatics Ltd (No 1) (2001), 329, 340
- R v Deputy Governor of Parkhurst Prison, ex p Hague (1992), 422, 432, 435–436, 443, 651, 687, 699, 704, 711, 730
- R R v Eskdale (2002), 404
- R v Evans (2009), 102
- R v Goldstein (2005), 384, 387, 392, 397, 401, 403, 405
- R v Governor of Brockhill Prison, ex p Evans (No 2) (2001), 705, 730
- R v Hartington, Middle Quarter Inhabitants (1855), 144
- R v Henson (1852), 397
- R v Hughes (2013), 401
- R v Ireland (1998), 221, 695, 696, 698
- R v Johnson (Anthony) (1996), 405
- R v Kavanagh (2008), 405
- R v Khan (Sultan) (1997), 322
- R v Legal Aid Board, ex p Kaim Todner (1999), 382
- R v Lister (1857), 395, 400, 403
- R v Madden (1975), 405
- R v Miah (2014), 405
- R v Millward (1986), 404
- R v MOD (2007), 221
- R v Moore (1832), 398
- R v National Ins Commrs, ex p Hudson (1972), 140
- R v Newcastle CC (2010), 394
- R v Norbury (1978), 404
- R v Ong (2001), 399, 400
- R v Palmer (1971), 152, 190, 201, 203
- R v Price (1884), 394
- R v Rahman (1985), 730–31
- R v Reading BC (2009), 668
- R v Rimmington; R v Goldstein (2005), 384, 386–388, 392, 393, 397, 401, 403
- R v Ruffell (1992), 398
- R v Saskatchewan Wheat Pool (1983), 459
- R v Savage (1992), 696
- R v Shorrock (1994), 398, 401
- R v Skinner (1772), 824
- R v Stephens (1866), 402, 403
- R v Vantandillo (1815), 397
- R v White and Ward (1757), 398
- R v Williams (Gladstone) (1887), 734
- Rabachuk v Cooke (2001), 394
- Rabone v Pennine Care NHS Trust (2012), 554, 565
- Racz v Home Office (1994), 965, 970
- Rae v Mars (UK) Ltd (1990), 589, 592, 634
- Raggett v Soc of Jesus Trust 1929 for Roman Catholic Purposes (2009), 344
- Rahman v Arearose Ltd (2000), 292, 296, 302, 304, 401, 402, 479, 481, 500
- Rai v Bholowasia (2015), 793, 818, 820
- Rainford v Lawrenson (2014), 302
- Rainham Chemical Works Ltd v Belvedere Fish Guano Co Ltd (1921), 924, 931, 936
- Rance v Mid-Downs HA (1991), 84
- Rand v East Dorset HA (2000), 82, 85
- Ratcliffe v Evans (1892), 756
- Ratcliff v Harpur Adams Agricultural College (1997), 627

lii Table of Cases

- Ratcliff v McConnell (1999), 396, 614, 617, 628–29, 635
- Ratcliff v Plymouth and Torbay HA (1998), 385–87, 389, 392–93
- Rath v Guardian News & Media Ltd (2008), 797, 801
- Ravenscroft v Rederiaktiebolaget Transatlantic (1991), 224, 262
- Rayment v MOD (2010), 268, 269, 271, 274
- Raymond v Young (2015), 903
- Razumas v MOJ (2018), 466
- RE v Calderdale and Huddersfield NHS Foundation Trust (2017), 215, 231, 254, 255, 269
- Reachlocal UK Ltd v Bennett (2014), 4, 754, 755, 759, 768, 793
- Read v Brown (1889), 118, 119
- Read v Croydon Corp (1938), 441
- Read v J Lyons & Co Ltd (1947), 76, 530, 875, 905, 917, 925, 935–36, 939–40, 943
- Realstone Ltd v J&E Shepherd (2008), 12
- Reay v British Nuclear Fuels Ltd (1994), 413–14
- Red Sea Tankers Ltd v Papachristidis (The Ardent) (1997), 53, 398
- Reed Elsevier UK Ltd v Bewry (2014), 64, 762–63
- Reedie v London and North West Rwy Co (1849), 973
- Rees v Darlington Memorial Hosp NHS Trust (2003), 17, 66–67, 75–78, 80–83, 551, 552, 748
- Rees v Sinclair (1974), 4
- Reeves v Commr of Police (2000), 49, 465, 516, 517, 519, 521, 526, 532–34, 735–36
- Reffell v Surrey CC (1964), 395, 613, 615
- Regan v Paul Properties DPF No 1 Ltd (2006), 848, 853, 854, 910
- Regan v Williamson (1976), 560, 564
- Regency Villas Title Ltd v Diamond Resorts (Europe) Ltd (2015)
- Rehman v University College London (2004), 383
- Reibl v Hughes (1980), 448
- Reid v Coker (1853), 697
- Reilly v Merseyside HA (1994), 224, 403
- REM v Mid Yorkshire Hosp NHS Trust (2005), 456
- Rendlesham Estates plc v Barr Ltd (2014), 25
- Republic of India v India Steamship Co Ltd (1993), 145
- Re-Source America Intl Ltd v Platt Site Services Ltd (2004), 307–310
- Revill v Newbery (1996), 594–95
- Reynard v Exquisite Cuisine Ltd (2005), 455, 479
- Reynolds v Strutt and Parker LLP (2011), 239, 358
- Reynolds v Times Newspapers Ltd (2001), 358, 810–19
- Rhesa Shipping Co SA v Edmunds (The Popi M) (1983), 206, 415
- Rhind v Astbury Water Park Ltd (2004), 592, 600, 628–30
- RHM Bakeries (Scotland) Ltd v Strathclyde Regional Council (1985), 954
- Rhodes v OPO (2015), 461, 463, 466, 472, 473, 474
- Ribee v Norrie (2000), 474, 906, 922, 946, 957
- Richards v Easto (1846), 956
- Richards v Hughes (2004), 204–6
- Richards v Pfizer Ltd (2018), 429
- Richards v Swansea NHS Trust (2007), 330
- Richardson v Howie (2005), 743
- Richardson v LRC Products Ltd (2000), 190, 197, 199, 203, 208, 215
- Richardson v Mellish (1824), 65, 167
- Richardson v Morton (2002), 3
- Richardson v Pitt-Stanley (1995), 428, 437
- Riches v News Group Newspapers Ltd (1986), 67
- Richley v Faull (1965), 307
- Richmond v Selecta Systems Ltd (2018), 569
- Rickards v Lothian (1913), 924, 934, 940, 945, 946
- Ridelalgh v Horsefield (1994), 2, 398
- Rigby v CC of Northamptonshire (1985), 98, 540–42, 923, 932
- Risk v College (2013), 596, 617
- Ritz Hotel Casino Ltd v Al Geabury (2015), 432
- Riva Properties Ltd v Foster + Partners Ltd (2017), 508
- Riyad Bank v Ahli Bank (UK) plc (2006), 12, 19, 195
- RK and AK v Oldham NHS Trust (2003), 661, 665, 666
- RK and AK v UK (2009), 676
- RK and MAK v Dewsbury Healthcare NHS Trust (2003), 661, 665
- Roadrunner v Dean (2003), 415
- Robb v FT Everard & Sons Ltd (1999), 487
- Robb v Salamis (M&I) Ltd (2006), 230, 231
- Robert Addie & Sons (Collieries) Ltd v Dumbreck (1929), 597, 603, 628
- Roberts v CC of Kent (2008), 59, 690, 729
- Roberts v CC of the Cheshire Constabulary (also Jones) (1999), 709
- Roberts v Gable (2007), 823–24
- Roberts v Ramsbottom (1980), 304
- Robertson Quay Investment Pte Ltd v Steen Consultants Pte Ltd (2008), 36
- Robertson v Nottingham HA (1996), 345, 346
- Robinson v Balmain New Ferry Co Ltd (1910), 718
- Robinson v Chambers (1946), 758
- Robinson v Kilvert (1889), 887
- Robinson v National Bank of Scotland (1916), 173
- Robinson v PE Jones (Contractors) Ltd (2011), 16, 17, 17, 18, 20, 22
- Robinson v Post Office (1974), 501
- Robinson v Ward (1958), 758
- Robinson v West Yorkshire Police (2018), 92
- Rocknroll v News Group Newspapers Ltd (2013), 319, 320, 342, 346, 348, 355, 356, 359
- Roe v Ministry of Health (1954), 51, 53, 153, 339, 340, 344, 967, 1008
- Roe v Sheffield CC (2003), 439, 445
- Rogers v Miles Laboratories Inc (1990), 191
- Rogers v Whitaker (1992), 133–34, 146, 139–41
- Roles v Nathan (1963), 598, 619–21

liii Table of Cases

- Rolls Royce Industrial Power (India) Ltd v Cox (2007), 421, 423
- Rondel v Worsley (1969), 1, 2, 3, 4, 6, 90
- Ronex Properties Ltd v John Ron Laing Construction Ltd (1983), 28
- Rookes v Barnard (1964), 11, 567, 569–71, 574–75, 744–46, 831
- Rose v Plenty (1976), 993, 996
- Rosenberg v Percival (2001), 134
- Rothermere v Times Newspapers Ltd (1973), 63
- Rothschild v Associated Newspapers Ltd (2013), 804–5
- Rothwell v Chemical and Insulating Co Ltd (2007), 216, 228
- Rowe v Herman (1997), 1003
- Rowlands v CC of Merseyside Police (2006), 60, 67, 700, 740, 743–45
- Rowley v Sec of State for the Dept for Work and Pensions (2007), 672
- Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust v TG (2019), 722
- Royal Brompton Hosp NHS Trust v Hammond (2002), 298, 304, 305, 361, 376, 377, 379
- RS v Criminal Injuries Compensation Authy (2013), 258
- Rubenstein v HSBC Bank plc (2012), 452, 509
- Rush v Police Service of Northern Ireland (2011), 98–100
- Rust v Graving Dock Co (1887), 836
- Ruth v Jones (2011), 866, 905–6
- Ryan v East London & City HA (2001), 310
- Rylands v Fletcher (1865–66), 6, 8–9, 13, 34, 109, 206, 210, 540–41 and see numerous references in Ch 17, 1008
- S (A child) Identification: Restrictions on Publication, *In re* (2005), 272, 349
- S v Chapman (2008), 361
- S v DPP (2008), 268
- S v Gloucestershire CC (2000), 660
- S v W (Child Abuse: Damages) (1995), 138
- S&D Property Investments Ltd v Nisbet (2009), 150, 283, 289
- S&W (Child Abuse: Damages), *Re* (1995), 138, 140
- Saaristo v Finland (2010), 269, 354
- Sabri-Tabrizi v Lothian Health Board (1998), 516
- Safer v Pack (1996), 144
- Sahid Foods Ltd v Paskin Kyriakides Sands (a firm) (2003), 518–19
- Sai Lau v DPP (2000), 264
- Saif Ali v Sydney Mitchell & Co (1980), 2, 398
- Saigol v Cranley Mansions Ltd (1995), 26
- Saldanha v Fulton Navigation Inc (2011), 398
- Salford Royal NHS Foundation Trust v P (2017), 728
- Salih v Enfield HA (1991), 82, 85
- Salmon v Police Service of Northern Ireland (2013), 687
- Salsbury v Woodland (1970), 1007, 1009
- Saltman Engineering Co Ltd v Campbell Engineering Co Ltd (1948), 327
- Sanders v Percy (2009), 756, 757, 791
- Saunders v Central Manchester Univ Hosps NHS Foundation Trust (2018), 385
- Saunders v Edwards (1987), 46, 51, 513
- Sayers v Smithkline Beecham plc (2004), 152, 187, 196
- Sayers v Smithkline Beecham plc (2007), 187
- Schellenberg v BBC (2000), 763
- Schellenberg v Tunnel Holdings Pty Ltd (2000), 385–86
- Schering Chemicals Ltd v Falkman Ltd (1982), 322, 333
- Schumann v Wasbrough (2013), 85–86
- SCM (UK) Ltd v WJ Whittall and Son Ltd (1971), 209, 488, 927
- Scott v Associated British Ports (2000), 627, 629
- Scott v Davis (2000), 70, 74, 75, 953
- Scott v Gavigan (2016), 336
- Scott v London and St Katherine's Docks (1865), 385, 386, 388, 391
- Scott v Lothian University Hosp NHS Trust (2006), 368
- Scott v Sampson (1881), 829
- Scout Assn v Barnes (2010), 347, 357, 613
- Scullion v Bank of Scotland plc (t/a Colleys) (2011), 182, 184, 193
- Sea Shepherd UK v Fish & Fish Ltd (2015), 295, 296
- Seal v CC of South Wales Police (2007), 677
- Searle v Wallbank (1947), 77, 78, 86, 107, 108
- Seby v Companies House (Rev 1) (2015), 190, 191, 193, 439
- Secretary of State for the Environment, Food and Rural Affairs v Downs (2009), 860, 913
- Secretary of State for the Home Dept v JJ (2007), 57
- Seddon v Driver and Vehicle Licensing Agency (2019), 168, 173, 177
- Sedleigh-Denfield v O'Callagan (1940), 391, 842–44, 889, 898, 911, 937, 944
- Seekings v Clarke (1961), 393
- Selwood v Durham CC (2012), 149, 152–54, 157, 159, 165, 651–53
- Sem v Mid Yorkshire Hosp NHS Trust (2005), 449, 451, 452
- Sempra Metals Ltd v Inland Revenue Commrs (2007), 36
- Serafin v Malkiewicz (2019), 802, 811, 813, 816, 828
- Seymour v Flynn (1992), 585
- Seymour v Williams (1995), 139
- Shah v Gale (2005), 308, 688, 739, 740, 743
- Shah v Standard Chartered Bank (1998), 806
- Shakoor v Situ (2000), 294
- Sharp v Ministry of Housing and Local Govt (1970), 191

liv Table of Cases

- Sharpe v Highland and Islands Fireboard (2007), 320, 323
- Shaw v Kovac (2017), 134, 456, 547, 551, 717, 748
- Shaw v McGill (1998), 367
- Shawe-Lincoln v Neelakandan (2012), 485–86
- Shebelle Enterprises Ltd v The Hampstead Garden Suburb Trust Ltd (2014), 909
- Shelbourne v Cancer Research UK (2019), 358
- Shelfer v City of London Electric Co (1895), 909–11
- Shell UK Ltd v Total UK Ltd (2010), 207, 210
- Shelley Films Ltd v Rex Features Ltd (1994), 329
- Shendish Manor Ltd v Coleman (2001), 774
- Shergill v Purewal (2011), 761
- Sherlock v Chester CC (2004), 230, 231, 455
- Sherratt v CC of Greater Manchester Police (2018), 88
- Shiffman v Hospital of St John of Jerusalem (1936), 921, 947, 955
- Shine v Tower Hamlets LB (2006), 444
- Ship Chandlers v Norfolk Line Ltd (1990), 251, 1007
- Shortell v BICAL Construction Ltd (2008), 437
- Shorter v Surrey & Sussex NHS Trust (2015), 268, 270, 276
- Shtern v Cummings (Jamaica) (2014), 589, 595, 608
- Sidaway v Board of Governors of the Bethlem Royal Hospital and the Maudsley Hospital (1985), 50, 128, 130–33, 135–36, 139, 364, 366, 535–38, 714, 717
- Siddorn v Patel (2000), 591, 595, 599
- Sienkiewicz v Greif (UK) Ltd (2011), 203, 293, 300, 301, 400, 413, 417, 420, 422–23, 427–29, 433, 435, 437–38
- Silver v UK (1983), 339
- Silverlink Trains Ltd v Collins-Williamson (2009), 69, 49, 518
- Sim v Stretch (1936), 762, 772, 779
- Simkiss v Rhondda BC (1983), 336, 350, 589, 590, 606, 607, 610, 612
- Simmons v British Steel plc (2004), 498, 502
- Simmons v Castle (2012), 546
- Simmons v Heath Laundry Co (1910), 975
- Simmons v Mitchell (1880), 757
- Simms v An NHS Trust (2002), 720–21
- Simms v Leigh Rugby Football Club Ltd (1969), 528, 530
- Simpson v Al Dairy Farms Ltd (2001), 589, 592, 597, 609
- Simpson v MGN Ltd (2016), 804
- Sindell v Abbott Laboratories (1980), 182, 430
- Singh v Bhakar (2006), 260, 283, 284
- Singh v Moorlands Primary School (2013), 6
- Sion v Hampstead HA (1994), 25, 260, 264, 265, 268, 272
- Sirros v Moore (1975), 6
- Six Continents Retail Ltd v Carford Catering Ltd (2003), 401
- Skelton v Lewisham and North Southwark HA (1998), 310, 485
- Slack v Glenie (2000), 528, 615, 634, 636
- Slim v Daily Telegraph Ltd (1968), 750
- Slipper v BBC (1991), 749, 789
- Sloutsker v Romanova (2015), 760, 763
- Smith v ADVFN plc (2008), 753–54
- Smith (or Smyth) v Austin Lifts (1959), 227, 231, 237
- Smith v Baker (1891), 526
- Smith v Barking, Havering & Brentwood HA (1989), 448, 485
- Smith v CC of Sussex Police (2008), 66, 91, 151, 154, 156, 693
- Smith v Central Asbestos Co Ltd (1973), 123
- Smith v Co-operative Group Ltd (2010), 245
- Smith v Dha (2013), 65
- Smith v Eric S Bush (1990), 19, 174, 175, 182, 184, 185, 192, 193, 196
- Smith v Jenkins (1970), 46
- Smith v Jones (1999), 160
- Smith v Lancashire Teaching Hosps NHS Trust (HC 2016, CA 2017), 256, 566
- Smith v Leech Brain & Co Ltd (1962), 238, 501
- Smith v Leurs (1945), 7
- Smith v Littlewoods Organisation Ltd (1987), 54, 101–4, 143, 145, 147, 212, 335
- Smith v MOD (CA 2012, SC 2013), 354, 540
- Smith v Northamptonshire CC (2009), 446, 447
- Smith v Nottinghamshire Police (2012), 515
- Smith v R (2012), 256, 260
- Smith v Salford HA (1994), 448, 450
- Smith v Scott (1973), 845, 925
- Smith v Sheridan (2005), 389
- Smith v Skanska Construction Services Ltd (2008), 71
- Smith v South Eastern Power Networks plc (2012), 425
- Smith v Southampton University Hosp NHS Trust (2007), 365
- Smith v Stages (1989), 1001–2
- Smith v Storey (t/a Rushworth and Storey) (1980), 623
- Smith v West Yorkshire HA (t/a Leeds HA) (2004), 367
- SmithKline Beecham plc v Avery (2009), 286, 287, 289
- Smith New Court Securities Ltd v Scrimgeour Vickers (Asset Management) Ltd (1996), 34
- Smith New Court v Citibank (1997), 10
- Smithurst v Sealant Construction Services Ltd (2011), 479
- Smoldon v Whitworth & Nolan (1997), 110, 320, 323, 324, 398
- Smyth v Smyth (2003), 606
- Snelling v Whitehead (1975), 14
- Sniezek v Bundy (Letchworth) Ltd (2000), 124
- Sochacki v Sas (1947), 937–38
- Societe Commerciale v ERAS (Intl) (1992), 28
- Sole v WJ Hallt Ltd (1973), 28, 604
- South Australian Asset Management Corp v York Montagu Ltd (1997), 453, 505, 507–10, 627

iv Table of Cases

- South Hetton Coal Co Ltd v North Eastern News Assn Ltd (1894), 768, 775–77
- Southport Corp v Esso Petroleum Co Ltd (1954), 514, 540–42, 842–43
- Southwark LBC v Mills and Tanner (1999), 842, 845, 861, 862
- Spargo v North Essex District HA (1997), 121
- Spartan Steel and Alloys Ltd v Martin & Co (Contractors) Ltd (1973), 184, 207–11, 445, 901
- Spearman v Royal United Bath Hosps NHS Foundation Trust (2017), 595, 599–601, 614, 634
- Speck v Finegold (1979), 126
- Spelman v Express Newspapers (2012), 344, 346, 350, 352, 353, 360, 369, 377
- Spencer v NHS North West (2012), 295
- Spencer-Franks v Kellogg Brown and Root Ltd (Scotland) (2008), 241, 246
- Spittle v Bunney (1988), 557, 559
- Spreadex Ltd v Sekhon (2009), 455, 533
- Spring v Guardian Assurance plc (1994), 170, 174, 177, 178, 188–93
- Spycatcher (AG v Guardian Newspapers Ltd (No 2) (1990), 327, 358, 378
- St George's v S (1998), 715
- St Helen's Smelting Co v Tipping (1865), 851, 859, 862, 863, 899
- ST v Maidstone and Tunbridge Wells NHS Trust (2015), 433, 495
- Stagecoach South Western Trains Ltd v Hind (2014), 63, 147, 328
- Standard Chartered Bank v Pakistan Shipping Corp (2003), 38
- Stanley v Powell (1891), 692–93
- Stanley v Saddique (Mohammed) (1990), 562
- Stannard (t/a Wyvern Tyres) v Gore (2012), 923, 928, 929, 937–39, 947, 956, 958
- Stansbie v Troman (1948), 148, 463
- Staples v West Dorset DC (1995), 376, 614, 617
- Stapley v Gypsum Mines (1953), 223, 400, 515, 522
- Starbev Gp Ltd v Interbrew Central European Holdings BV (2014), 277
- Stark v Post Office (2000), 246, 249, 448, 449
- Startwell Ltd v Energie Global Brand Management Ltd (2015), 129
- State Rail Authority of NSW v Wiegold (1991), 44
- Staveley Iron and Chemical Co Ltd v Jones (1956), 454
- Steel & Morris v UK (2005), 62, 766
- Steel v NRAM Ltd (Scotland) (2018), 172
- Stein v Blake (1996), 149
- Steinberg v Englefield (2005), 792
- Stelios Haji-Ioannou v Dixon Regus Group plc (2009), 776, 790
- Stephen v Peter (2005), 240, 241, 242, 455
- Stephens v Avery (1988), 339
- Stephens v Myers (1834), 697
- Sternbaum v Dhesi (2016), 587–88
- Steven v Hewats (2013), 205
- Stevenson v Basham (1922), 470
- Stevenson v Clearview Riverside Resort (2000), 109
- Stewart v Botha (2008), 126
- Stewart v Martin (2019), 177, 195
- Stimpson v Wolverhampton MBC (1990), 337, 348, 352, 355, 396, 594, 611, 613, 614
- Stingel v Clark (2006), 140
- Stocker v Stocker (2019), 769, 776, 779, 805
- Stoddart v Perucca (2011), 523
- Stoke-on-Trent CC v W&J Wass Ltd (1988), 399, 407, 411, 413, 417, 578
- Stoke-on-Trent College v Pelican Rouge Coffee Solutions Group Ltd (2017), 415
- Stokes v Guest, Keen and Nettlefold (Bolts & Nuts) Ltd (1968), 222, 234
- Stone & Rolls Ltd (in liq) v Moore Stephens (a firm) (2007), 38, 42, 43, 49, 532, 534
- Stone v Taffe (1974), 600
- Storey v Charles Church Developments plc (1995), 18, 238
- Stotardt v Selkent Bus Co (2003), 342–43
- Stovin v Wise (1996), 62–63, 69, 102–4, 143–44, 641, 642–45, 647–48, 653
- Strand Electric and Engineering Co Ltd v Brisford Entertainments (1952), 578
- Stubbings v UK (1997), 141
- Stubbings v Webb (1993), 139
- Sturges v Bridgman (1879), 851, 864, 873, 874, 894, 895, 907
- Sucden Financial Ltd v Fluxo-Cane Overseas Ltd (2010), 52
- Sulaiman v Juffali (2002), 52
- Sullivan v Boylan (2013), 461, 464, 468, 470, 474
- Sunny Metal and Engineering Pte Ltd v Ng Khim Ming Eric (2007), 512
- Superquinn Ltd v Bray UDC (1998), 924, 936, 944–45
- Surtees v Kingston-upon-Thames BC (1991), 10, 30
- Sussex Ambulance NHS Trust v King (2002), 221, 235, 236, 331, 354, 397
- Sutherland SC v Heyman (1985), 17, 41, 62, 119
- Sutherland v Hatton (2002)- see Hatton v Sutherland
- Sutherland v McConehy's Tyre Service Ltd (2012), 231
- Sutradhar v Natural Environment Research Council (2006), 114–15
- Sutton v Syston Rugby Football Club Ltd (2011), 358
- Swain v Puri (1996), 602, 630–33
- Swift v Yorkshire Electricity Group plc (1997), 601
- Swinney v CC of Northumbria Police (1997), 98–99, 280–82
- Swynson Ltd v Lowick Rose LLP (2015), 212
- Sykes v Harry (2001), 588
- Sykes v MOD (1984), 226, 404
- Symonds v Norfolk Lines Ltd (1990), 589

lvi Table of Cases

- Syvret v Chief Minister (Jersey) (2011), [446](#), [453](#)
 T (Consent to Treatment), Re (1992), [713](#), [714](#), [716](#), [718](#), [720](#)
 Taaffe v East of England Ambulance Service NHS Trust (2012), [373](#)
 Tacagni v Penwith DC (2013), [610](#)
 Tagg v Countess of Chester Hosp Foundation Trust (2007), [377](#)
 Tahir v Haringey HA (1998), [412](#)
 Tai v Hatzistavrou (1999), [525](#)
 Talbot v Berkshire CC (1994), [147](#), [148](#)
 Tameside and Glossop Acute Services NHS Trust v Thompstone (2008), [67](#)
 Tamiz v Google Inc (2012), [793–95](#), [808–9](#)
 Tamiz v Guardian News and Media Ltd (2013), [825](#)
 Tan v East London & City HA (1999), [237](#), [262](#), [269](#), [272](#)
 Tang Man Sit v Capacious Investments Ltd (1996), [318](#)
 Tarasoff v Regents of the University of California (1976), [164](#)
 Tate & Lyle v GLC (1983), [395](#), [406](#), [838](#)
 Taylor v A Novo (UK) Ltd (2013), [26](#), [216](#), [255](#), [258–61](#), [265](#), [270](#)
 Taylor v Somerset HA (1993), [259](#), [262](#), [265](#), [269](#), [272](#)
 Taylorson v Bourne Leisure Ltd (2009), [589](#)
 Taylorson v Shieldness Produce Ltd (1994), [215](#)
 TBS v Metropolitan Police Commr (2017), [126](#)
 Tchenguiz v Imerman (2011), [7](#), [320](#), [338](#), [348](#), [365](#), [367](#)
 TCP Europe Ltd v Perry (2012), [576](#)
 Terry (LNS) v Persons Unknown (Rev 1) (2010), [335](#), [344](#), [353](#), [355](#), [359](#), [360](#), [362](#), [377](#), [378](#), [381](#), [382](#), [752](#)
 Tesco Stores Ltd v Costain Construction Ltd (2003), [18](#)
 Tesco Stores Ltd v Pollard (2006), [152](#), [153](#), [161](#), [163](#), [164](#), [190](#), [194](#), [196](#), [198](#)
 Thackwell v Barclays Bank plc (1986), [46](#)
 Thake v Maurice (1986), [75](#), [111](#), [536](#)
 Thames Water Utilities Ltd v Digginwell Plant & Construction Ltd (2002), [306](#)
 Theakston v MGN Ltd (2002), [337](#)
 Thefaut v Johnston (2017)
 Thoday v Thoday (1964), [143](#)
 Thoma v Luxembourg (2003), [751](#)
 Thomas and Evans Ltd v Mid-Rhondda Co-op Society Ltd (1941), [880](#)
 Thomas v News Group Newspapers Ltd (2001), [257](#), [258](#), [260](#), [265](#)
 Thomas v NUM (1986), [697](#)
 Thomas v Triodos Bank NV (2017), [131](#)
 Thompson v Alexander (1992), [24](#)
 Thompson v Arnold (2007), [555](#)
 Thompson v Brown (1981), [135](#)
 Thompson v Commr of Police of the Metropolis (1998), [60](#), [67](#), [284](#), [285](#), [567](#), [570](#), [741](#), [743](#), [745](#)
 Thompson v James (2014), [767](#), [776](#)
 Thompson v Renwick Group plc (2014), [239](#)
 Thompson v Smiths Shiprepairers (North Shields) Ltd (1984), [293](#)
 Thompson-Schwab v Costaki (1956), [853](#), [858](#)
 Thomson (AP) v Scottish Ministers (2013), [150–51](#), [154](#), [156–59](#), [166](#)
 Thomson v Christie Manson & Woods Ltd (2005), [361](#)
 Thomson v James (1996), [367](#)
 Thornton v Kirklees MBC (1979), [443](#)
 Thornton v Telegraph Media Group Ltd (2010), [752](#), [762](#), [763](#), [768](#), [772](#), [774](#), [775](#), [777](#), [779](#), [796](#), [798](#), [830](#)
 Three Rivers DC v Governor of the Bank of England (2000), [5](#)
 Threlfall v Hull CC (2010), [229](#), [448](#)
 Titchener, ICE v Shatwell 533
 Tilbrook v Parr (2012), [767](#)
 Tillander v Gosselin (1967), [73](#)
 Tillett v Ward (1882), [116](#)
 Timeplan Education Group Ltd v National Union of Teachers (1997), [993](#)
 Times Newspapers Ltd v Flood (2017), [752](#), [828](#)
 Ting Lan Hong & KLM (A Child) v XYZ (2011), [258](#)
 Tinkler v Ferguson (2019), [770](#), [797](#)
 Tinseltime Ltd v Davies (2011), [836](#), [896](#)
 Tinsley v Milligan (1994), [46](#)
 Titan Steel Wheels Ltd v Royal Bank of Scotland plc (2010), [54](#)
 Titchener v British Railways Board (1984), [528](#), [532](#), [534](#), [632](#), [635](#)
 Todd v Adams (2002), [421](#), [428](#), [439](#), [440](#)
 Tolley v Carr (2011), [107–9](#)
 Tolstoy Miloslavsky v UK (1995), [369](#), [830](#)
 Tomlinson v Congleton BC (2004), [114](#), [348](#), [349](#), [351](#), [355](#), [357](#), [395](#), [591–95](#), [600](#), [611–13](#), [616–18](#), [632](#), [637](#)
 Toole v Bolton MBC (2002), [454](#)
 Topp v London Country Bus (South West) Ltd (1993), [146](#)
 Toropdar v D (2009), [302](#)
 Totham v King's College Hosp NHS Foundation Trust (2015), [544](#), [545](#), [548](#), [550](#)
 Townsend v Worcester and District HA (1994), [361](#), [366](#)
 TP and KM v UK (2001), [676](#), [678](#), [679](#)
 Tradigrain SA v Intertek Testing Services (ITS) Canada Ltd (2007), [399](#)
 Traffic Signs and Equipment Ltd (2012), [142](#)
 Transco plc v Stockport MBC (2003), [412](#), [836](#), [841](#), [867](#), [875](#), [880](#), [882](#), [891](#), [893](#), [898](#), [905–6](#), [917–22](#), [924–25](#), [929–35](#), [937–42](#), [944](#), [947–49](#), [952–53](#), [955](#), [958](#)
 Transfield Shipping Inc v Mercator Shipping Inc (The Achilleas) (2008), [17](#), [35](#)
 Trebor Bassett Holdings Ltd v ADT Fire and Security plc (2011), [461](#), [465](#)

lvii Table of Cases

- Tredget & Tredget v Bexley HA (1994), 223, 255, 261, 267, 270, 272, 274
 Tremain v Pike (1969), 492, 493
 Trepcia Mines Ltd (No 21) (1963), 4
 Trimmingham v Associated Newspapers Ltd (2012), 261, 266, 269–272, 274, 281, 331, 338, 341, 342, 345–347, 355, 357
 Trotman v North Yorkshire CC (1999), 990–92, 997
 Trumm v Norman (2008), 778, 818, 819, 829
 Tse Wai Chun v Cheng (2001), 797, 801
 Tuberville v Savage (1669), 696–97
 Tuke v Mid Essex Hosp Services NHS Trust (2003), 365
 Tunnel Refineries Ltd v Bryan Donkin Co Ltd (1998), 157, 159, 185
 Tuohy v Courtney (1994), 119
 Turnbull v Warrener (2012), 79, 89, 91–97, 100–104, 111–114
 Turner v News Group Newspapers Ltd (2006), 826
 Turpin v Sortini (1982), 126–27
 Tutton v AD Walter Ltd (1986), 582
 TW Logistics Ltd v Essex CC (2018), 834
 Twine v Bean's Express Ltd (1946), 996
 Udale v Bloomsbury AHA (1983), 75
 Udhaya Kumar A/L Karuppusamy v Penguasa Hosp (2004), 394
 UK Oil & Gas Investments plc v Protestors Unknown (2018), 909
 Ulster Bank Ltd v Fisher & Fisher (1998), 142, 144, 145
 Ultraframe (UK) Ltd v Fielding (2005), 295
 Ultramares Corp v Touche (1931), 68, 163, 216
 Uni Hosps Plymouth NHS Trust v B (A Minor) (Urgent Medical Treatment) (2019), 724
 Unilever plc v Gillette (UK) Ltd (1989), 294
 Union Camp Chemicals Ltd v CRL TCL Ltd (2001), 35, 504
 Union of India v Prabhakaran Vijaya Kumar (2008), 893, 919, 935
 United Marine Aggregates Ltd v GM Welding & Engineering Ltd (2012), 389
 Uppal v Endemol UK Ltd (2014), 778
 Urbanski v Patel (1975), 54–55
 Uren v Corporate Leisure (UK) Ltd (CA 2011, HC 2013), 230, 237, 348, 353, 357
 Vacwell Engineering Co Ltd v BDH Chemicals (1971), 492–94
 Van Colle v CC of Hertfordshire Police (2008), 46, 53, 66, 91, 96, 98, 99, 151, 156, 158, 668
 Various Claimants v Flintshire CC (2000), 410
 Vaughan v Lewisham LBC (2013), 281
 Vaughan v MOD (2015), 350, 616
 Veakins v Kier Islington Ltd (2009), 254, 267, 270, 271, 275
 Veedfald v Arhus Amtskommune (2001), 210, 211
 Velu v Mazrekaj (2006), 65
 Vellino v CC of the Greater Manchester Police (2002), 47, 48, 50
 Venables v News Group Newspapers Ltd (2001), 7, 328, 349
 Venner v North East Essex AHA (1987), 516
 Vernon Knight Associates v Cornwall Council (2013), 328, 329, 934
 Vernon v Bosley (No 1) (1997), 221
 VFS Financial Services (UK) Ltd v Euro Auctions (UK) Ltd (2007), 68
 Viasystems (Tyneside) Ltd v Thermal Transfer (Northern) Ltd (2005), 972, 986–88
 Vibixa Ltd v Komori UK Ltd (2006), 441
 Vicario v Commr of Police for the Metropolis (2007), 25, 39, 99, 116
 Victorian Railway Commr v Coultas (1888), 462
 Vidal-Hall v Google Inc (2014 HC, 2015 CA), 321
 Videan v British Transport Comm (1963), 53, 107, 602
 Villers v Monsley (1769), 774
 Vinton v Fladgate Fielder (a firm) (2010), 199, 204, 205
 Vizetelly v Mudie's Select Library Ltd (1900), 807–8
 Volcafe Ltd v Compania Sud Americana De Vapores SA (2018), 392
 Von Hannover v Germany (2005), 325, 353, 358
 Von Hannover v Germany (No 2) (2012), 353
 Vowles v Evans (2003), 69, 72, 109, 110, 117, 298, 323, 324, 382
 VS v Home Office (2014), 570, 699
 VTB Capital plc v Nutritek Intl Corp (2012), 3
 W v Essex CC (2001), 25, 26, 228–29, 232, 240, 242, 246–49, 253, 260, 261, 274, 669, 674, 678, 461, 475
 W v M (2011), 727, 728
 W v W (1999), 575
 Wagner v Intl Rwy (1921), 197
 Wainwright v Home Office (2003), 7, 221, 272, 320–323, 326, 329, 332, 335, 365, 371, 382, 461–474, 681, 685–87, 689–91, 694
 Walker v Great Northern Rwy Co of Ireland (1891), 62
 Walker v Northumberland CC (1995), 243, 349
 Wall Street Journal Europe SPRL v UK (2009), 802
 Wallace v Litwiniuk (2001), 305
 Wallett v Vickers (2018), 527
 Wallis v Balfour Beatty Rail Maintenance Ltd (2013), 246, 248
 Wallis v Meredith (2011), 790, 819
 Walsh v Shanahan (2013), 375
 Walter v Selfe (1851), 850
 Walters v North Glamorgan NHS Trust (2012) see North Glamorgan NHS Trust v Walters
 Wamala v Tascor Services Ltd (2017), 686, 711, 712, 728
 Wandsworth LBC v Railtrack plc (2002), 395
 Ward v Hertfordshire CC (1970), 606


lviii Table of Cases

- Ward v Leeds Teaching Hospitals NHS Trust (2004), 223, 263, 265, 268
- Ward v Tesco Stores Ltd (1976), 388, 391
- Warren v Random House Group Ltd (2007), 826
- Wasson v CC of Northern Ireland (1987), 736
- Watkins v Home Office (2006), 6
- Watkins v Home Secretary (2006), 222
- Watkins v Sec of State for the Home Dept (2006), 67
- Watson and Bradford City AFC v Gray and Huddersfield Town FC (1998), 321
- Watson v British Boxing Board of Control (2001), 47, 48, 66, 72, 114, 116, 117, 119, 120, 528
- Watson v Croft Promo-Sport Ltd (2009), 849, 852, 870, 871, 904, 907, 911
- Watson v Whitney (1966), 304
- Watt v Hertfordshire CC (1954), 235, 236, 349, 352, 354
- Watt v Rama (1972), 61
- Wattleworth v Goodwood Road Racing Co Ltd (2004), 12, 14, 60, 111, 116, 119, 363, 589, 604, 615
- Watts v Aldington (1999), 312–315, 318
- Weaver v Ward (1617), 692, 694
- Webb v Barclays Bank plc and Portsmouth Hospitals (2001), 468, 479
- Webster v British Gas Services Ltd (2003), 65
- Webster v Burton Hosps NHS Foundation Trust (2017), 131, 135, 136
- Webster v Ridgeway Foundation School (2010), 49, 64, 149, 151, 155, 157, 164, 165
- Weir v CC of Merseyside Police & Bettison (2003), 1008
- Weir v Countryside Alliance Ltd (2016), 569
- Weir v East of Scotland Water Authority (2000), 442, 445
- Weir-Rodgers v SF Trust Ltd (2005), 591
- Weller & Co v Foot and Mouth Disease Research Institute (1966), 838
- Weller v Associated Newspapers Ltd (2014), 321, 324, 331, 342, 350, 370
- Wellesley Partners LLP v Withers LLP (2015), 19, 37
- Wells v University Hospital Southampton NHS Foundation Trust (2015), 270
- Wells v Wells (1999), 544
- Welsh Ambulance Services v Williams (2008), 31, 558, 561
- Welsh v CC of Merseyside Police (1993), 99
- Welsh v Stokes (2007), 79, 89, 93, 95, 100, 102, 103
- Welsh Water v Barratt Homes Ltd (Rev 1) (2013), 421, 433, 436, 452, 639, 843, 859
- Wembridge v Winter (2013), 379
- Wessanen Foods Ltd v Jofson Ltd (2006), 529
- West Bromwich Albion Football Club Ltd v El-Safty (2006), 12, 72, 150, 197, 201
- West Sussex CC v Pierce (2013), 605, 610
- West v Bristol Tramways Co (1908), 899, 924, 931
- West Wallasey Car Hire Ltd v Berkson & Berkson (a firm) (2009), 398
- Westminster CC v Ocean Leisure Ltd (2004), 392
- Wheat v E Lacon & Co Ltd (1966), 586, 587, 609
- Wheatley v Patrick (1837), 74
- Wheeler v JJ Saunders Ltd (1996), 852, 871, 889
- Whetstone (t/a Whelby House Dental Practice) v MPS Ltd (2014), 978
- Whippey v Jones (2009), 79, 80, 681, 94, 336
- White (Frost) v CC of South Yorkshire Police (1999), 216, 217, 220, 221, 225, 228, 229, 233, 234, 245, 250, 273
- White v Blackmore (1972), 325
- White v Eon (2008), 124
- White v Jones (1995), 12, 172, 174, 196, 198, 199, 203–6, 211, 212
- White v London Fire & Civil Defence Authority (1999), 221
- White v Lynch (2011), 907
- White v Paul Davidson & Taylor (2003), 457
- White v Southampton Univ Hosp NHS Trust (2011), 825
- White v St Albans CDC (1990), 631
- White v Sweden (2007), 815
- White v White (2001), 55
- White v Withers LLP and Dearle (2009), 6, 367
- White v Yup (1969), 61
- Whitehead v Bruce (2013), 342
- Whitehead v Searle (2008), 85–86
- Whitehouse v Jordan (1981), 292, 334, 387
- Whiten v Pilot Insurance Co (2002), 574
- Whitmore v Euroways Express Coaches Ltd (1984), 224
- Whitwham v Westminster Brymbo Coal & Coke Co (1896), 578
- Wieland v Cyril Lord Carpets Ltd (1969), 466
- Wild v Southend Univ Hosp NHS Foundation Trust (2014), 218, 223, 231, 237, 252, 261, 262, 265, 270
- Wildtree Hotels Ltd v Harrow LBC (2001), 393, 407, 418
- Wilkes v DePuy Intl Ltd (2016), 429
- Wilkin-Shaw v Fuller (HC 2012, CA 2013), 349, 356, 358, 464
- Wilkinson v Downton (1897), 4, 8, 9, 461–476, 686, 687, 689, 691, 699, 839
- Wilks v Cheltenham Homeguard Motor Cycle and Light Car Club (1971), 320
- Willers v Joyce (Re: Gubay dec'd) (2016), 5
- Williams v LBC of Hackney (2015), 669
- Williams v MGN Ltd (2009), 763, 780
- Williams v Natural Life Health Foods Ltd (1998), 12, 195
- Williams v Port of Liverpool Stevedoring Co Ltd (1956), 530
- Williams v University of Birmingham (2011), 53, 233, 340
- Williamson v AG of Trinidad and Tobago (2014), 729

lix Table of Cases

- Willis v Derwentside DC (2013), [827](#) [878](#), [879](#), [933](#), [937](#)
 Wilsner v Essex AHA (1987), [290](#), [296](#), [306](#), [312](#), [332](#), [345](#), [386](#), [416](#), [424](#), [428](#)
 Wilson v Donaldson (2004), [80](#), [83](#), [84](#), [87](#)
 Wilson v Pringle (1987), [690](#), [692](#), [694](#), [695](#), [711](#)
 Wilson v Tyneside Window Cleaning Co (1958), [222](#), [227](#)
 Wilsons & Clyde Co Ltd v English (1938), [222](#), [223](#), [252](#)
 Winston v O'Leary (2006), [450](#)
 Winterbottom v Wright (1842), [37](#)
 Winyard v Tatler Publishing Co Ltd (1991), [774](#)
 Wise v Kaye (1962), [545](#)
 Wisniewski v Central Manchester HA (1998), [31](#), [368](#), [444](#), [445](#), [495](#)
 Withers v Perry Chain Co Ltd (1961), [230](#), [232](#), [234](#)
 WM Morrison Supermarkets plc v Various Claimants (2018), [964–66](#), [998](#), [1003](#)
 Wombwell v Grimsby Fish Dock Enterprises (2008), [610](#)
 Wong Fung Sze v Tuen Mun Hosp (2004), [271](#)
 Wong v Parkside NHS Trust (2001), [465–468](#), [472](#), [474](#), [690](#)
 Woodland v Essex CC (SC 2013, HC 2015), [7](#), [8](#), [10](#), [30](#), [42](#), [223](#), [252](#), [307](#), [951](#), [1007](#), [1009](#)
 Woodland v Swimming Teachers' Assn (2011), [223](#)
 Woodward v Mayor of Hastings (1945), [623](#)
 Wooldridge v Sumner (1963), [318–21](#), [323](#), [325](#), [347](#), [529](#), [530](#), [534](#)
 Woollins v British Celanese Ltd (1966), [620](#), [621](#)
 Worboys v Acme Investments Ltd (1969), [379](#)
 Wormald v Cole (1954), [107](#), [109](#)
 Worrall v British Railways Board (1999), [43](#), [44](#)
 Worsley v Tambrands Ltd (2000), [152](#), [187](#), [190](#), [201](#)
 Wright v Cambridge Medical Group (2011), [445](#), [455](#), [459](#), [467](#), [468](#), [474](#)
 Wright v Dunlop Rubber Co Ltd (1972), [161](#), [165](#), [172](#)
 Wright v Lewis Silkin LLP (2016), [505](#)
 Wright v Lodge (1993), [461](#)
 Wright v Stoddard Intl plc (2007), [298](#)
 Wright v Ver (2019), [760](#)
 Wringe v Cohen (1940), [400](#)
 WXY v Gewanter (HC 2012, HC 2013), [255](#), [259](#), [275](#), [278](#), [285](#), [338](#), [339](#), [358](#), [359](#), [362](#), [363](#), [370](#), [372](#), [381](#)
 Wyatt v Curtis (2003), [132](#), [139](#), [536](#)
 Wynbergen v Hoyts Corp (1997), [518](#)
 X v Hounslow LBC (2009), [650](#), [663](#), [665](#)
 X v Sweden (1982), [141](#)
 X (Minors) v Bedfordshire CC (1995), [22](#), [25](#), [49](#), [64](#), [67](#), [161](#), [220](#), [222](#), [243](#), [298](#), [345](#), [421](#), [423](#), [435](#), [438](#), [440](#), [443](#), [644](#), [657](#), [665](#), [676](#), [972](#)
 X & Y v Hounslow LBC (2008), [22](#)
 X and Y v Persons Unknown (2006), [349](#), [359](#), [376](#), [378](#), [379](#)
 XA v YA (2010), [10](#)
 X HA v Y (1988), [329](#)
 XXX v King's College Hospital NHS Foundation Trust (2018), [293](#)
 XYZ v Schering Healthcare Ltd (Oral Contraceptive Litiga) (2002), [203](#), [214](#), [215](#), [217](#), [436](#)
 YAH v Medway NHS Foundation Trust (2018), [59](#), [231](#), [253](#), [512](#)
 Yapp v Foreign and Commonwealth Office (2014), [37](#), [285](#)
 Yat Tung Investment Co Ltd v Dao Heng Bank (1975), [146](#)
 Yates v National Trust (2014), [114](#), [396](#), [596](#), [624](#)
 Yavuz v Tesco Stores Ltd (2019), [753](#), [764](#), [772](#)
 Yearworth v North Bristol NHS Trust (2009), [218](#), [238](#), [475](#)
 Yeo v Times Newspapers Ltd (2015), [63,751](#), [769](#), [802](#)
 Yorkshire Traction Co Ltd v Searby (2003), [317](#)
 Yorkshire Water Services Ltd v Sun Alliance and London Insurance plc (1997), [926](#)
 Young v Charles Church (Southern) Ltd (1997), [230](#), [246](#)
 Young v Kent CC (2005), [73](#), [589](#), [590](#), [629](#), [630](#), [631](#), [633](#), [635](#)
 Young v MacVean (OH 2014, IH 2015), [265](#)
 Youssouf v Metro-Goldwyn-Mayer Pictures Ltd (1934), [753–54](#), [773](#)
 Yuen Kun-Yeu v AG of Hong Kong (1988), [102](#), [143](#), [470](#)
 Z v Finland (1997), [280](#)
 Z v UK (2001), [676–79](#)
 ZAM v CFW (2011), [260](#)
 Zarb v Odetoyinbo (2006), [367](#), [445](#)
 ZC v Royal Free London NHS Foundation Trust (2019), [764](#)
 Zennstrom v Fagot (2013), [26](#)
 Zeromska-Smith v United Lincolnshire Hospitals NHS Trust (2019), [58](#), [223](#), [231](#), [253](#)
 Zinda v Ark Academies (Schools) (2011), [135](#)
 Zubaida v Hargreaves (1995), [361](#)
 Zurich Ins plc v UK Branch v Intl Energy Group Ltd (CA 2013, SC 2015), [400](#), [417](#), [420–23](#), [427](#), [433](#)

Table of Legislation

Pages preceded by  indicate that the relevant statutory provision is locatable in the materials available at the Online Torts Hub (available at www.Cambridge.org/Mulheron).

ENGLAND AND WALES

Statutes

- Abortion Act 1967
 s 1(d),  84
- Administration of Justice Act 1982,  10
 s 1,  28,  552,  555
 s 1(1)(a),  28,  547
 s 1(1)(b),  547
 s 3,  560
 s 3(1),  561,  565
 s 4,  555
 s 4(1),  27
 s 52,  547
- Administration of Justice (Miscellaneous Provisions) Act 1933
 s 6,  63
- Animals Act 1971,  76- 77,  79,  80,  87- 117
 s 1(1)(c),  77
 s 2,  90,  103- 104,  110
 s 2(1),  87,  90,  91,  92,  104
 s 2(2),  90,  91,  92,  93,  104,  110
 s 2(2)(a),  93- 96
 s 2(2)(b),  97- 102,  104
 s 2(2)(c),  102- 103
 s 3,  105,  115
 s 4,  87,  105- 106,  115- 116
 s 4(1),  106,  107
 s 4(2),  106
 s 4A,  87,  106,  115- 116
 s 4A(2),  106,  107
 s 4A(2)(a),  107
 s 4A(3),  106
 s 5(1),  110- 111,  115
 s 5(2),  111,  112,  113,  535
- s 5(3),  114
 s 5(3)(a),  114
 s 5(3)(b),  114
 s 5(4),  115
 s 5(5),  115,  116
 s 5(5A),  115,  116
 s 6(2),  90
 s 6(3),  89
 s 6(3)(a),  89
 s 6(3)(b),  89
 s 6(4),  89
 s 8(1),  77,  86
 s 8(2),  87
 s 9,  105
 s 9(1),  105
 s 9(2),  105
 s 9(3),  105
 s 10,  115
 s 11,  87,  105,  106
- Anti-Social Behaviour Act 2003
 s 2,  386
- Anti-Social Behaviour, Crime and Policing Act 2014
 386
- Bail Act
 s 4,  433
- Betting and Lotteries Act 1934,  440
 s 11(2)(b),  433
- Borders Act 2007
 s 36(1)(a),  728,  730
- Broadcasting Act 1990
 s 166,  755
- Broadcasting Act 1996
 s 111(1),  332- 333
- Building (Safety, Health and Welfare) Regulations 1948
 reg 22(c),  446
- Chancery Amendment Act 1858,  909
- Child Care Act 1980,  443

lxii Table of Legislation

- Children Act 1989, 68
 s 17(11), 77
- Civil Aviation Act 1982
 s 76, 890
- Civil Liability (Contribution) Act 1978, 132, 240,
 302, 309, 430, 460, 583, 608, 986
 s 1, 291, 302, 310, 315
 s 1(1), 304, 305, 638
 s 1(4), 304
 s 1(6), 304, 305
 s 2, 291, 304, 310, 315
 s 2(1), 303, 306, 308, 309
 s 3, 303
 s 3(4) 434
- Civil Partnership Act 2004
 s 83, 30
- Commons Registration Act 1965, 87
- Companies Act 1985
 s 236, 184
 s 237, 184
- Competition Act 1998, 422
 s 47A, 451
- Compulsory Purchase Act 1965
 s 1, 418
 s 10(1), 417
- Congenital Disabilities (Civil Liability) Act 1976
 s 1(1), 58, 59, 122
 s 1(2), 84
 s 1(2)(a), 58
 s 1(2)(b), 58, 124
 s 1(3), 59
 s 1(7), 519
 s 1A, 58
 s 1A(1)(b) 59
 s 4(1), 59
 s 4(2), 59
 s 4(2)(a), 59
 s 4(5) 59
- Constitutional Reform Act 2005
 s 59, 909
 s 148, 909
- Construction (Health, Safety and Welfare) Regulations
 1996 (SI No 1592/1996), 244
- Consumer Credit Act 1974, 151
 ss 158–160, 383
- Consumer Protection Act 1987, 8, 132, 152–
 153, 429
 Pt 1, 186, 194
 s 1(1), 187, 213
 s 1(2), 193
 s 1(4)(e), 213, 214
 s 2(1), 187, 202
 s 2(2), 211
 s 2(2)(b), 194
 s 2(2)(c), 194
 s 2(3), 194
 s 2(4), 193
 s 2(5), 193
 s 2(6), 151
 s 3(1), 242
 s 3(2), 195
 s 3(2)(a), 195, 201
 s 3(2)(b), 195
 s 3(2)(c), 195
 s 4, 210
 s 4(1)(c), 194, 211
 s 4(1)(d), 211
 s 4(1)(e), 212, 213, 215
 s 4(2), 211, 212
 s 5(1), 208
 s 5(2), 189, 208
 s 5(3)(a), 193, 208
 s 5(3)(b), 193, 208
 s 6(4), 216
 s 7, 210
 s 9, 194
 s 10(7)(f), 189
 s 45, 189
 s 45(1), 209, 210
- Contagious Diseases (Animals) Act 1869
 s 75, 453
- Contracts (Rights of Third Parties) Act 1999, 198
- Control of Horses Act 2015
 s 4, 106, 115
 s 5(1), 87, 115
- Control of Substances Hazardous to Health
 Regulations 2002, 244
- Copyright, Designs and Patents Act 1988
 s 103, 430
 s 194, 430
- Corporate Manslaughter and Corporate Homicide Act
 2007, 544
- Countryside and Rights of Way Act 2000, 582
- County Courts Act 1984
 s 66, 63
- Courts and Legal Services Act 1990, 4
 s 8, 830
- Crime and Courts Act 2013
 s 34, 570
 s 34(5), 570
- Crime and Disorder Act 1998
 s 1, 415
 s 1(1), 386
- Crime and Policing Anti-Social Behaviour, 386
- Criminal Justice and Public Order Act 1994
 s 63, 386
- Criminal Law Act 1967
 s 3(1), 728
 s 14(1), 2, 4
 s 14(2), 2, 4
- Crossrail Act 2008
 s 21, 386
- Crown Proceedings Act 1947
 s 2(1)(a), 73
- Dangerous Dogs Act 1991, 88
- Dangerous Wild Animals Act 1976, 88, 90

Ixiii Table of Legislation

- Data Protection Act 1998, 255, 323, 422, 427
 s 13(1), 430
- Defamation Act 1952
 s 1, 755
 s 2, 758, 768
 s 5, 804–5
 s 6, 800–1
- Defamation Act 1996
 s 1, 807, 808
 s 2–4, 826
 s 2(5), 826
 s 3, 825
 s 3(2), 826
 s 3(4), 826
 s 3(5), 826
 s 4, 825
 s 5, 63
 s 8, 831
 s 12(1), 803
 s 14(3), 825
 s 15, 821–22
 s 15(1), 821
 Sch 1, 821
- Defamation Act 2013, 63, 749, 751, 756
 s 1, 765
 s 1(1), 755, 757, 761, 764–65, 772
 s 2, 802
 s 2(1), 804
 s 2(3), 804
 s 3, 795, 796
 s 3(8), 796
 s 4, 810
 s 4(3), 822–23
 s 5, 808
 s 6, 807
 s 7, 807, 821
 s 7(1), 825
 s 8, 64, 788
 s 9, 759
 s 11, 62, 63, 769
 s 14, 756
 s 14(1), 757
 s 14(2), 756
 s 15, 821, 822
- Defamation (Operators of Websites) Regulations 2013, 810
- Defective Premises Act 1972, 15, 19, 22–29
 s 1, 23
 s 1(1), 22, 23, 24, 27
 s 1(5), 27, 28
 s 2, 28, 29
 s 4, 587
 s 4(1), 587
 s 4(2), 587
 s 6(3), 23
- Disability Discrimination Act 1995
 s 58, 73
- Education Act 1944–81, 443
- Electricity at Work Regulations 1989, 244
 reg 4(3), 244
- Electricity Supply Regulations 1988
 regs 17, 24, 25, 432
- Employer's Liability (Compulsory Insurance) Act 1969
 s 1, 428 s 5, 428
- Employer's Liability (Defective Equipment) Act 1969,
 160, 173, 193, 219
 s 1(1), 240, 241
 s 1(3), 241
- Energy Act 2013
 s 76, 426
- Enterprise and Regulatory Reform Act 2013
 s 69, 219, 448
 s 69(3), 244, 245, 425, 446
- Environmental Damage (Prevention and Remediation)
 Regulations 2009
 reg 4, 386
- Environmental Protection Act 1990, 422
 Pt 1, 410
 Pt 3, 418
 s 34, 455
 s 34(1), 450
 s 34(1)(b), 430
 s 73(6), 430, 455, 891
 s 79, 418, 419, 876
 s 79(1), 386
 s 80, 419
 s 80(4), 390
- Factories Act 1937
 s 152(1), 448
 s 26(2), 410, 452
- Factories Act 1961
 s 29(1), 247, 340, 450
 s 63, 449, 450
 s 76(2), 422
- Factory and Workshop Act 1878
 s 5, 435
 s 5(3), 448
- Family Law Reform Act 1969
 s 8(1), 724
- Fatal Accidents Act 1846, 27, 29
- Fatal Accidents Act 1976, 26, 27–30, 132, 535, 549,
 554, 556, 734
 s 1A, 547
 s 1(1), 29
 s 1(1A), 27
 s 1(2), 30
 s 1(3), 30–31
 s 3(1), 31
 s 5, 518
- Financial Services and Markets Act 2000, 422, 424,
 452
 s 150(1), 430
- Fire Services Act 1947
 s 13, 436, 445
- Fires Prevention (Metropolis) Act 1707
 s 6, 957

lxiv Table of Legislation

- Fires Prevention (Metropolis) Act 1774
 s 86, [916](#), [955–59](#)
- Food and Drugs Act 1955
 s 49, [413](#)
- Foods Act 1984
 s 50, [413](#)
- Freedom of Information Act 2000
 s 56(1), [426](#)
- Guard Dogs Act 1975, [88](#), [113](#), [114](#)
- Harbours, Docks and Piers Clauses Act 1847
 s 33, [442](#), [458](#)
- Health and Safety at Work Act 1974
 s 3, [544](#)
- Health and Safety at Work, etc, Act 1974, [193–194](#), [426](#)
[246](#), [248](#), [426](#)
 ss 2–8, [243](#), [426](#)
 s 47(1)(a), [243](#), [426](#)
 s 47(2), [244](#), [245](#)
- Health and Safety at Work, etc, Act 1974 (Civil
 Liability) (Exceptions) Regulations 2013, [448](#)
 reg 3, [245](#)
- Highways Act 1980, [390](#), [582](#)
 s 41, [424](#)
 s 41(1), [444](#)
 s 130, [427](#)
 s 130(3), [427](#)
 s 137, [386](#)
- Housing Act 1985, [654](#)
 s 84A, [386](#)
- Highways (Miscellaneous Provisions) Act 1961
 s 1(1), [444](#)
 s 118, [447](#)
 s 124, [447](#)
- Housing Act 2004
 Pt 3 s 2, [426](#)
- Housing and Regeneration Act 2008
 Sch 11, [837](#)
- Human Fertilisation and Embryology Act 1990
 s 37(1), [84](#)
 s 44(1), [59](#)
- Human Rights Act 1998, [21–22](#), [71](#), [93](#), [133](#), [321](#),
[639](#), [661](#), [680](#), [841](#), [912–14](#)
 s 3, [272](#)
 s 6, [324](#), [379](#)
 s 7, [675](#)
 s 8, [675](#)
 s 12(4)(a)(i), [346](#)
 s 12(4)(b), [350](#)
- Immigration Act 1971, [671](#)
- Immigration (European Economic Area) Regulations
 2006
 reg 12, [457](#)
 reg 17, [457](#)
- Income and Corporation Taxes Act 1988, [446](#)
 Insolvency Rules 1986
 r 6.13, [433](#)
- Interception of Communications Act 1985, [324](#)
- Interpretation Act 1978, [90](#), [286](#)
- Judicature Act 1873, [374](#)
- Land Clauses Consolidation Act 1845, [408](#), [418](#)
- Land Drainage Act 1930
 s 34(k)(a), [646](#)
- Landlord and Tenant Act 1985, [446](#)
 s 21, [432](#)
 s 22, [432](#)
- Latent Damage Act 1986, [628](#), [127](#)
- Law Reform (Contributory Negligence) Act 1945, [8](#),
[460](#), [515](#), [526](#), [711](#)
 s 1(1), [310](#), [320](#), [515](#), [734](#)
 s 3, [311–313](#), [315](#)
 s 4, [110](#), [898](#), [949](#)
- Law Reform (Married Women and Tortfeasors) Act
 1935
 s 6(1)(c), [304](#)
 s 6(1)(a), [313](#)
 s 6(1)(b), [313](#)
- Law Reform (Miscellaneous Provisions) Act 1934, [26](#),
[552](#), [561](#)
 s 1(1), [27](#), [28](#), [29](#), [61](#), [65](#)
- Law Reform (Miscellaneous Provisions) Act 1970
 s 4, [547](#), [560](#)
 s 5, [551](#)
- Law Reform (Personal Injuries) Act 1948, [514](#)
 s 1, [223](#)
- Licensing Act 1964, [585](#)
- Licensing Act 2003, [386](#)
 s 182, [406](#)
- Lifting Operations and Lifting Equipment Regulations
 1998, [244](#)
- Limitation Act 1980, [130](#)
 Pt II, [128](#)
 s 2, [9](#), [117](#), [126](#), [131](#), [132](#), [137](#), [138](#),
[139](#), [140](#)
 s 3(1), [131](#)
 s 4A, [63](#), [131](#)
 s 10(1), [132](#)
 s 10(3)(a), [305](#)
 s 11, [137](#), [139](#), [140](#), [344](#)
 s 11(1), [131](#)
 s 11(1A), [132](#)
 s 11(4), [120](#), [139](#)
 s 11(5), [132](#)
 s 11A(3), [132](#), [191](#), [192](#)
 s 11A(4), [132](#), [191](#)
 s 11A(4)(b), [192](#)
 s 12(2), [126](#), [132](#)
 s 14, [120](#)
 s 14(1), [120](#), [125](#)
 s 14(3), [122](#), [123](#), [124](#), [125](#)
 s 14(3)(a), [124](#)
 s 14A, [28](#), [127](#)
 s 14A(6), [127](#)
 s 14A(8), [127](#)
 s 14A(a), [127](#)
 s 14A(b), [127](#)
 s 14B(1), [132](#)
 s 15(1)(a), [124](#)
 s 25(4A), [128](#)
 s 28, [128](#)
 s 28(1), [128](#)

lxv Table of Legislation

- s 28(6), [128](#)
- s 32(1)(a), [129](#)
- s 32(1)(b), [129](#)
- s 32A, [64](#), [133](#)
- s 33, [125](#), [133](#), [137](#), [138](#), [139](#)
- s 33(1), [133](#), [139](#)
- s 33(3), [133](#), [134](#), [135](#), [136](#), [137](#)
- s 35, [192](#)
- s 38(1), [209](#)
- s 38(2), [128](#), [341](#)
- Local Authority Social Services Act 1970, [443](#)
- Local Government Act 1972
 - s 222, [388](#), [389](#), [390](#), [410](#)
 - s 222(1), [388](#)
- Locomotives on Highways Act 1896
 - s 7, [434](#)
- Lord Cairns' Act 1858, [907](#), [909–10](#)
- Malicious Communications Act 1988, [387](#)
- Management of Health and Safety at Work
 - Regulations 1999, [244](#), [245](#), [255](#), [427](#)
 - reg 3, [229](#)
- Manual Handling Operations Regulations 1992, [244](#)
- Mental Capacity Act 2005, [129](#), [711](#), [715–16](#), [719](#), [721–222](#), [725–26](#)
 - s 1(4), [725](#), [727](#)
 - s 4, [725](#)
 - s 4(7), [725](#)
 - s 5, [726](#)
 - s 5(1)(a), [726](#)
 - s 5(1)(b)(i), [726](#)
 - s 5(1)(b)(ii), [726](#)
 - s 6(2), [726](#)
 - s 6(3), [726](#)
- Mental Health Act 1983, [703](#), [847](#)
- Mental Health Act 1959
 - s 1, [169](#)
- Mental Health Review Tribunal Rules 1983
 - r 21(5), [451](#)
- Merchant Shipping Act 1995, [440](#)
 - s 121(1), [428](#)
- Mineral Workings (Offshore Installations) Act 1971, [424](#)
- Misrepresentation Act 1967, [129](#)
 - s 2(1), [172](#)
- Mobile Homes Act 2000
 - s 10, [430](#)
- Mobile Homes Act 2013
 - s 10, [430](#)
- Motor Cars (Use and Construction) Order 1904
 - cl 6, [434](#)
- National Health Service Act 1977
 - s 1(1), [445](#), [645](#)
- National Parks and Access to the Countryside Act 1949, [586](#)
- NHS Redress Act 2006
 - s 1(1), [543](#)
- Nuclear Installations Act 1965
 - s 7, [891](#)
- Occupiers' Liability Act 1957, [9](#), [145](#), [327](#), [382](#), [581–85](#), [592–93](#), [602–3](#), [1004](#)
 - s 1(1), [594](#), [597](#)
 - s 1(2), [581–83](#), [585](#), [595](#), [598](#), [603–4](#)
 - s 1(3)(a), [588](#)
 - s 1(3)(b), [637](#)
 - s 1(4), [582](#)
 - s 2, [587](#)
 - s 2(1), [587](#)
 - s 2(2), [585](#), [608](#), [609](#)
 - s 2(3)(a), [605–6](#)
 - s 2(3)(b), [229](#), [619–20](#)
 - s 2(4)(a), [620–21](#), [634](#)
 - s 2(4)(b), [621–26](#)
 - s 2(5), [518](#), [604](#)
 - s 2(6), [597](#)
- Occupiers' Liability Act 1984, [9](#), [145](#), [327](#), [581](#), [628](#)
 - s 1(1), [597](#)
 - s 1(1)(a), [594](#)
 - s 1(2), [585](#), [588](#)
 - s 1(3), [584](#), [596](#), [629](#)
 - s 1(3)(a), [629–30](#)
 - s 1(3)(c), [629](#), [631–32](#)
 - s 1(3)(b), [629](#), [630–31](#)
 - s 1(4), [632](#)
 - s 1(5), [635](#)
 - s 1(6), [535](#), [635](#)
 - s 1(6A), [582](#)
 - s 1(8), [637](#)
 - s 1(9), [588](#), [637](#)
- Oil Pipelines Act 1956, [406](#)
- Partnership Act 1890
 - s 10, [71](#)
- Personal Protective Equipment at Work Regulations 1992, [244](#), [427](#)
 - reg 4(1), [448](#)
 - reg 7, [453](#)
 - reg 7(1), [453](#)
- Petroleum Act 1998
 - s 23, [426](#)
 - s 28(6), [426](#)
- Planning Act 2008
 - s 158, [386](#), [89](#)
- Police Act 1964, [67](#)
- Police Act 1996
 - s 88, [61](#), [73](#)
 - s 88(1), [59](#)
- Police Act 1997
 - s 42(1), [73](#)
- Police and Criminal Evidence Act 1984, [169](#)
 - s 24(2), [710](#)
 - s 117, [728](#)
- Postal Services Act 2000, [387](#)
- Prison Rules 1964
 - r 8(1), [432](#)
 - r 43, [432](#)
- Prisons Act 1952
 - s 6(3), [432](#)
- Prosecution of Offences Act 1985,

lxvi Table of Legislation

- s 22, [422](#)
- Prosecution of Offences (Custody Time Limits) Regulations 1987
 - reg 6(1), [422](#)
- Protection from Harassment Act 1997, [3](#), [9](#), [132](#), [150](#), [429](#), [466](#), [468](#), [691](#), [834](#), [839](#), [866](#), [965](#)
 - s 1(1), [253](#)
 - s 1(1A), [286](#)
 - s 1(1A)(a)-(c), [286](#)
 - s 1(2), [267](#), [268](#)
 - s 2A, [256](#)
 - s 3, [35](#), [289](#)
 - s 3(1), [253](#), [254](#)
 - s 3(2), [282](#), [283](#)
 - s 3(3)a, [285](#)
 - s 3(6), [285](#)
 - s 7(3), [262](#)
 - s 7(4), [262](#)
 - s 7(5), [286](#)
- Provision and Use of Work Equipment Regulations 1998, [241](#), [244](#), [427](#)
 - reg 2(1), [447](#)
 - reg 3(1), [447](#)
 - reg 4(3), [246](#), [247](#)
 - reg 5(1), [245](#), [246](#), [249](#)
 - reg 6(1), [448](#), [449](#) s 11, [54](#)
- Public Health Act 1936, [642](#)
 - s 64, [17](#)
- Public Order Act 1986
 - ss 12–14, [732](#)
- Quarries (Explosives) Regulations 1959
 - reg 27(4), [455](#)
- Race Relations Act 1976, [275](#)
 - s 32(1), [72](#), [73](#), [996](#)
- Radioactive Substances Act 1993
 - s 46, [426](#)
- Railways and Transport Safety Act 2003
 - s 111, [444](#)
- Registered Homes Act 1984, [642](#), [672](#)
- Rehabilitation of Offenders Act 1974
 - s 9, [383](#)
- Riding Establishments Act 1970
 - s 2(4A), [88](#)
- Road Traffic Act 1972
 - s 148, [533](#)
- Road Traffic Act 1930
 - s 35(1), [445](#)
- Road Traffic Act 1988, [13](#), [425](#)
 - s 35(1), [445](#)
 - s 39, [444](#), [642](#)
 - s 39(2), [444](#)
 - s 39(3), [444](#)
 - s 143(1), [445](#)
 - s 149(3), [40](#), [533](#)
- Sale of Goods Act 1979, [151](#), [155](#)
- Senior Courts Act 1981
 - s 49(2), [149](#)
 - s 50, [909](#)
 - s 69, [63](#)
 - s 69(3), [62](#)
- Serious Organised Crime and Police Act 2005, [286](#)
 - s 125, [332](#)
- Sex Discrimination Act 1975
 - s 41, [41](#)
- Slander of Women Act 1891
 - s 1, [757](#)
- Social Action, Responsibility and Heroism Act 2015
 - 104, [311](#), [375–76](#)
 - s 2, [104](#), [311](#)
 - s 3, [104](#), [311](#), [376](#)
 - s 4, [104](#), [311](#)
- Social Action, Responsibility and Heroism Act (Commencement and Transitional Provision) Regulations 2015
 - reg 2, [104](#)
- Social Security Contributions and Benefits Act 1992
 - s 94(1), [13](#), [218](#)
- Social Security (Industrial Injuries) (Prescribed Diseases) Regulations 1985, [13](#)
- Solicitors Act 1974
 - s 34, [186–87](#)
 - s 36, [186](#)
- Southern Rhodesia (Petroleum) Order 1965, [441](#)
- Suicide Act 1961
 - s 2(1), [714](#)
- Supply of Goods and Services Act 1982, [151](#)
- Supply of Machinery (Safety) Regulations 1992
 - reg 13, [441](#)
- Supreme Court Act 1981, [909](#)
 - Supreme Court of Judicature Act 1873, [374](#)
- Telecommunications Act 1984, [476](#)
 - s 43, [383](#)
- Terrorism Act 2000
 - s 1, [757](#)
- Theatres Act 1968
 - s 4, [755](#)
- Torts (Interference with Goods) Act 1977, [7](#)
 - s 1(a), [3](#)
- Town and Country Planning Act 1990
 - s 211, [882](#)
- Tramways Act 1870
 - s 25, [445](#)
- Treason Act 1351, [759](#)
- Unfair Contract Terms Act 1977, [20](#), [116](#), [181](#), [399](#), [985](#)
 - s 1(3), [54](#), [636](#)
 - s 2, [636](#)
 - s 2(2), [985–86](#)
- Vaccine Damages Payments Act 1979, [13](#)
- Vaccine Damages Payments Act 1979 (Statutory Sum Order 2000) SI 2000/1983, [13](#)
- Water Act 1989
 - s 122, [426](#)
- Water Industry Act 1991, [438](#), [890–92](#)

lxvii Table of Legislation

- s 106, [436](#)
- s 209, [891](#)
- Water Resources Act 1991
 - s 70, [426](#)
 - s 85, [386](#)
- Water Works Clauses Act 1847
 - reg 6(1), [441](#)
- Work at Height Regulations 2005, [244](#)
- Workplace (Health, Safety and Welfare) Regulations 1992, [244](#), [247](#)
 - reg 5(1), [248](#)
 - reg 12(1), [449](#)

Rules of Court

- Civil Procedure Rules 1998, [380](#), [415](#)
 - r 1.1, [762](#)
 - r 3.1(2)(i), [24](#)
 - r 3.4(2), [678](#)
 - r 3.4(2), [24](#) [134](#)
 - r 3.4(2)(a), [25](#), [118](#)
 - r 16.6, [149](#)
 - r 19.5, [192](#)
 - r 19.5(3)(a), [192](#)
 - r 19.6, [286](#), [287](#), [289](#)
 - r 19.6(1), [4](#)
 - r 19.III, [240](#)
 - r 24.2(a)(i), [134](#)
 - r 25.1(f), [200](#)
 - r 26.11(2), [63](#)
 - r 39.2(3)(a), [368](#)
 - r 44.13–44.17 [24](#)
 - r 44.3(2)(a), [23](#)
 - r 44.3(2)(b), [23](#)
 - r 52.10(3), [830](#)

AUSTRALIA STATE

Civil Liability Act 2002 (NSW)

- s 71, [77](#)
- Civil Liability Act 2002 (WA)
 - ss 5AF–AH, [544](#)
- Defamation Act 2005 (NSW)
 - s 7, [735](#)
- Employers' Liability Act 1991 (NSW)
 - s 3(1)(a)–(b), [970](#)

EUROPE

Directives

- Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, 29 Jun 1989, OJ L 183/1 (the Framework Directive), [244](#), [449](#)

- Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work, 30 Dec 1989, OJ L 393/13 (the Work Equipment Directive), [449](#)

Treaty

- Treaty on the Functioning of the European Union
 - Art 20, [457](#)
 - Art 21, [457](#)
 - Art 35, [457](#)

JERSEY

- States of Jersey Law 2005
 - art 47, [453](#)

NEW ZEALAND

- Accident Compensation Act 1972 (New Zealand), [14](#)
- Accident Insurance Act 1998 (New Zealand)
 - s 396(1), [572](#)
- Defamation Act 1992 (New Zealand)
 - s 2(1), [755](#)
 - s 4, [753](#)
- Injury Prevention, Rehabilitation and Compensation Act 2001 (New Zealand), [14](#)
- Injury Prevention, Rehabilitation and Compensation Amendment Act (No 2) 2005 (New Zealand), [14](#)

NORTHERN IRELAND

- Damages (Asbestos-Related Conditions) Act (Northern Ireland) 2011, [407](#)
- Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1937, [554](#)
- Occupiers' Liability Act (Northern Ireland) 1957, [582](#)

SCOTLAND

- Damages (Asbestos-Related Conditions) (Scotland) 2009, [407](#)
- Partnership Act 1890, [71](#)

UNITED STATES

- Birth-Related Neurological Injury Compensation Act of 1988 (Florida), [14](#)
- 28 USC ¶1920, 1923(a), [23](#)

INTERNATIONAL CONVENTIONS

- European Convention on Human Rights, [64](#), [321](#), [324](#), [325](#), [349](#), [93](#), [165–66](#), [663](#), [675](#), [678](#), [914](#)
- Art 2, [91](#), [97](#), [101](#), [165](#), [166](#), [687](#), [727](#)

lxviii Table of Legislation

Art 3, [97](#), [165](#), [166](#), [663](#), [675](#), [676](#), [687](#), [727](#)
Art 5, [57](#)–[59](#), [687](#), [731](#)
Art 5(1), [58](#)
Art 5(1)(b), [57](#)
Art 5(1)(c), [57](#)
Art 5(1)(e), [57](#)
Art 6, [94](#), [95](#), [141](#), [676–79](#)
Art 6(1), [69](#), [141](#)
Art 7(1), [386](#)

Art 8, [271](#), [272](#), [326](#), [332](#), [348](#), [91](#), [97](#), [165](#),
[166](#), [675](#), [676](#), [687](#), [727](#), [834](#), [840](#), [841](#), [845](#), [847](#),
[912](#)
Art 8(2), [728](#)
Art 10, [271](#), [272](#), [273](#), [326](#), [766](#), [806](#)
Art 10(2), [349](#)
Art 11, [415](#)
Art 13, [94](#), [369](#), [675](#), [676](#)
Art 14, [566](#)

Abbreviations

General

[10]	paragraph 10
10	page 10
AG	Attorney General
AHA	Area Health Authority
aka	also known as
art, arts	article, articles (domestic)
Art, Arts	Article, Articles (supranational)
Ass	Assurance
Assn	Association
Aust	Australian
Authy	Authority
BBC	British Broadcasting Corp
BC	Borough Council; British Columbia
Bros	Brothers
CC	Chief Constable; City Council County; Council
Civ	Civil
CN	contributory negligence
Co	Company
Comm	Commission
Commr	Commissioner
Co-op	Co-operative
Corp	Corporation
CP	Consultation Paper
CPS	Crown Prosecution Service
dB	decibel/s
Dept	Department
DP	Discussion Paper
ed, eds	editor, editors
edn	edition
FMD	foot-and-mouth disease
Govt	Government
HA	Health Authority
HHJ	His/Her Honour Judge
HMP	Her Majesty's Prison
HMRC	Her Majesty's Revenue and Customs
Hosp	Hospital
Ins	Insurance
Intl	International

J	Justice
LBC	London Borough Council
Litig	Litigation
LJ	Law Journal; Lord Justice
LRC	Law Reform Commission
L Rev	Law Review
MBC	Metropolitan Borough Council
MC	Municipal Council
MOD	Ministry of Defence
MR	Master of the Rolls
NHS	National Health Service
NLJ	New Law Journal
P	President
PCC	Press Complaints Commission
PD	Practice Direction
PSLA	damages for pain, suffering, and loss of amenity
PTSD	post-traumatic stress disorder
r, rr	rule, rules
reg, regs	regulation, regulations
RSC	Rules of the Supreme Court
Rwy	Railway
Soc or Socy	Society
s, ss	section, sections
Sec	Secretary
TC	Town Council
TP	third party
US	United States
WHO	World Health Organization

Legislation

CPA	Consumer Protection Act 1987
CPR	Civil Procedure Rules 1998
ECHR	European Convention on Human Rights
FAA	Fatal Accidents Act 1976
HRA	Human Rights Act 1998
LR(MP) Act	Law Reform (Miscellaneous Provisions) Act 1934

lxx List of Abbreviations

OLA 1957	Occupiers' Liability Act 1957
OLA 1984	Occupiers' Liability Act 1984
UCTA	Unfair Contract Terms Act 1977
NIQB	High Court of Justice, Northern Ireland, Queen's Bench Division
NSWSC	New South Wales Supreme Court
NSWCA	New South Wales Court of Appeal

Courts

ABCA	Alberta Court of Appeal
ABQB, or Alta QB	Alberta Court of Queen's Bench
ACTSC	Australian Capital Territory Supreme Court
Alta SC App Div	Alberta Supreme Court Appeal Division
Alta TD	Alberta Trial Division
BCCA	British Columbia Court of Appeal
BCSC	British Columbia Supreme Court
CA	Court of Appeal
Cal Sup Ct	California Supreme Court
Ch	Chancery Court
CSIH	Scottish Court of Session (Inner House)
CSOH	Scottish Court of Session (Outer House)
Div Ct	High Court of Justice Divisional Court
ECJ	European Court of Justice
ECtHR	European Court of Human Rights
EWCA Civ	England and Wales Court of Appeal (Civil Division)
EWHC	England and Wales High Court
EW Misc	England and Wales Courts – Miscellaneous (via Bailii)
Exch Ct	Exchequer Court
FCA	Federal Court of Australia
FCAFC	Federal Court of Australia, Full Court
FJHC	Fiji High Court
HCA	High Court of Australia
HKCFA	Hong Kong Court of Final Appeal
HKCFI	Hong Kong Court of First Instance
HKDC	Hong Kong District Court
HL	House of Lords
IEHC	High Court of Ireland
IESC	Supreme Court of Ireland
INSC	India Supreme Court
KB	King's Bench Division (England and Wales High Court)
LRKB	Law Reports, King's Bench
Man CA	Manitoba Court of Appeal
MLJU	Malaysia Federal Court of Appeal
MLJU(HC)	High Court of Malaysia
NICA	Northern Ireland Court of Appeal
NICH	High Court of Justice, Northern Ireland, Chancery Division
NTSC	Northern Territory Supreme Court
NZCA	New Zealand Court of Appeal
NZSC	New Zealand Supreme Court
Ont SCJ	Ontario Superior Court of Justice

PC	Privy Council
QB	Queen's Bench Division (England and Wales High Court)
QB (TCC)	Queen's Bench Division, Technology and Construction Court (High Court of Justice)
QCA	Queensland Court of Appeal
QSC	Queensland Supreme Court
SASC	South Australian Supreme Court
SC	Supreme Court
SCC	Supreme Court of Canada
Scot CS	Scottish Court of Sessions Decisions
SGCA	Singapore Court of Appeal
SGHC	Singapore High Court
Tas SC	Tasmanian Supreme Court
UKEAT	United Kingdom Employment Appeals Tribunal
UKFTT	United Kingdom First Tier Tribunal (Tax Chamber)
UKHL	United Kingdom House of Lords
UKPC	United Kingdom Privy Council
UKSC	United Kingdom Supreme Court
Ves Sen	Vesey Senior's Chancery Reports
Vic CA	Victoria Court of Appeal
Vic SC	Victoria Supreme Court
WADC	Western Australia District Court
WASC	Western Australia Supreme Court
WASCA	Western Australia Supreme Court, Court of Appeal
ZASCA	South African Supreme Court, Court of Appeal

Law Reports

A 2d	Atlantic Reporter, Second Series (United States)
AC	Law Reports, Appeal Cases (Third Series)
ACD	Administrative Court Digest
ACWS (3d)	All Canada Weekly Summaries, Third Series
AER	All England Law Reports
All ER	All England Law Reports
All ER(D)	All England Direct Law Reports (Digests)
All ER Rep Ext	All England Law Reports Reprint Australian Extension Volumes
ALJR	Australian Law Journal Reports
ALR	Australian Law Reports
App Cas	Law Reports, Appeal Cases (Second Series)
AR	Alberta Reports
ATR	Australian Tax Reports
B & Ad	Barnewall and Adolphus' King's Bench Reports
B & C	Barnewall and Cresswell's King's Bench Reports
B & S	Best and Smith's Queen's Bench
BCC	British Company Law Cases

lxxi List of Abbreviations

BCLC	Butterworths Company Law Cases	Hare	Hare's Chancery Reports
Bing	Bingham's Common Pleas Reports	HLC (Clark's)	Clark and Finnelly's House of Lords Reports, New Series
Bing NC	Bingham's New Cases, English Common Pleas	HLR	Housing Law Reports
BLR	Building Law Reports	Hurl & N, or H&N	Hurlstonend a Norman's Exchequer Reports
BMLR	Butterworths Medico-Legal Reports	ICR	Industrial Court Reports
Burr	Burrows King's Bench Reports (tempore Mansfield)	IR, or Ir R	Irish Reports
C & L	Connor and Lawson's Irish Chancery Reports	Ir Jur Rep	Irish Jurist Reports
Cal 3d	Californian Reports (Third Series)	IRLR	Industrial Relations Law Reports
Cal Rptr	Californian Reporter	JP	Justice of the Peace Reports
Camp	Campbell's Nisi Prius Cases	KB	Law Reports, King's Bench
Car and P, or C & P	Carrington and Payne's Nisi Prius Reports	KIR	Knight's Industrial Reports
CB (NS)	Common Bench Reports, New Series	L & TR	Landlord and Tenant Reports
CCL Rep	Community Care Law Reports	LD Raym	Lord Raymond's King's Bench and Common Pleas Reports
CCLT	Canadian Cases on the Law of Torts	LGR	Local Government Reports
Ch	Law Reports, Chancery Division (3rd Series)	LJCP	Law Journal Reports, Common Pleas New Series
CL	Current Law Monthly Digest (UK)	LJOB	Law Journal Reports, Queen's Bench New Series
CLC	CCH Commercial Law Cases	Lloyd's Rep	Lloyd's Law Reports
CLR	Commonwealth Law Reports	Lloyd's Rep Med	Lloyd's Law Reports (Medical)
CLY	Current Law Yearbook	Lloyd's Rep PN	Lloyd's Law Reports (Professional Negligence)
CM & R	Crompton, Messon and Roscoe's Exchequer Reports	Lofft	Lofft's King's Bench Reports
CMLR	Common Market Law Reports	LR	Law Reports (First Series)
Co Rep	Coke's King's Bench Reports	LRCP	Law Reports, Common Pleas
Con LR	Construction Law Reports	LR Eq	Law Reports, Equity Cases
Cr & M	Crompton and Meeson's Exchequer Reports	LR Ex	Law Reports, Exchequer Cases
Cr App R	Criminal Appeal Reports	LRKB	Law Reports King's Bench
Dears	Dearsley's Crown Cases Reserved	LT Rep	Law Times Reports (England and Wales)
Dears & B	Dearsley and Bell's Crown Cases Reserved	M & S	Maule and Selwyn's King's Bench Reports
De G & Sm	De Gex and Smale's Chancery Reports	M & W	Meeson and Welsby's Exchequer Reports (England and Wales)
Dick	Dickens Chancery Reports	Med LR	Medical Law Reports
DLR	Dominion Law Reports	Mod	Modern Reports (England and Wales)
E & B	Ellis and Blackburn's Queen's Bench Reports	NBR	New Brunswick Reports
Ed CR	Education Case Reports	NE	North Eastern Reporter
EGLR	Estates Gazette Law Reports	NI	Northern Ireland Law Reports
EHRR	European Human Rights Reports	NJ Super	New Jersey Supreme Court Reports
ELR	Education Law Reports	NPC	New Property Cases
EMLR	Entertainment and Media Law Reports	NY	New York Reports
Env LR	Environmental Law Reports	NYS	New York Supplement
ER	English Reports	NZAR	New Zealand Administrative Reports
Ex, or Ct Exch	Law Reports, Exchequer Division	NZLR	New Zealand Law Reports
F 2d	Federal Reporter, Second Series	OAC	Ontario Appeal Cases
F & F	Foster and Finlayson's Nisi Prius Reports	OR	Ontario Reports
Fam	Law Reports, Family Division	P	Law Reports, Probate
FCR	Butterworths Family Court Reports	P 2d	Pacific Reporter (Second Series) (United States)
FLR	Family Law Reports (England and Wales)	PD	Law Reports, Probate, Divorce and Admiralty Division
FSR	Fleet Street Reports	PIQR	Personal Injuries and Quantum Reports
H & C	Hurlstone and Coltman's Exchequer Reports	PNLR	Professional Negligence and Liability Reports
H & Tw	Hall and Twell's Chancery Reports	PTSR	The Public and Third Sector Reports
		QB	Law Reports, Queen's Bench (3rd Series)

lxxii List of Abbreviations

Qd R	Queensland Reports	SR(NSW)	New South Wales State Reports
RPC	Reports of Patent, Design and Trade Mark Cases	Taunt	Taunton's Common Pleas Reports
RTR	Road Traffic Reports	TCLR	Technology and Construction Law Reports
SA	South African Law Reports	TLR	Times Law Reports
SASR	South Australian State Reports	VLR	Victorian Law Reports
SC	Session Cases (Scotland)	VR	Victorian Reports
SC(HL)	Session Cases, House of Lords (Scotland)	Wils KB	Wilson's King's Bench and Common Pleas Reports
SCLR	Scottish Civil Law Reports	WLR	Weekly Law Reports
Scot CS	Scottish Court of Session Decisions	WN	Weekly Notes of Cases
SCR	Supreme Court Reports (Canada)	WTLR	Wills and Trusts Law Reports
SJLB	Solicitors' Journal Law Brief (UK)	WWR	Western Weekly Reports
SLT	Scots Law Times		

Notes on Mode of Citation

1. In each case citation, the court is referred to in parentheses in all instances where it is not obvious from the report series or mode of citation which court made the decision. Neutral citations have been used wherever available.
2. The expression 'English law' should be understood to include the law of Wales (unless indicated otherwise).
3. Throughout this book, 'C' denotes 'claimant', 'D' denotes 'defendant', and the plural of each is denoted by 'Cs' and 'Ds', respectively.
4. Throughout this book, the masculine personal pronoun is used for the sake of convenience and, as and where appropriate, should be taken to be inclusive of all genders.
5. The scholarship and opinion of many entities (including law reform commissions) and persons are referenced throughout this book. All reasonable efforts have been made to reference and to pinpoint as accurately and fully as possible. It should be noted that, wherever quotations appear and in the interests of brevity, footnotes within those quotations have not been reproduced, and the conventional usage of 'footnotes omitted' should be assumed throughout.
6. Wherever available in the case law referenced in this book, paragraph numbers are used as pinpoints in preference to page numbers.

