

Holding programme

The course programme for this event is yet to be finalised. However, the event will cover

RTA update:

- Contributory negligence and pedestrians
- Dangerous driving and joint criminal enterprises
- Duties of local authorities to maintain and cut back vegetation adjacent to the highway
- More on issuing proceedings against an unknown defendant
- Use of a vehicle – the Court of Justice of the European Union – dual use vehicles as an exception to the *Vnuk* guidance

Employers' liability:

- Work at height
- Who must, and how do you, prove a pre-existing defect?
- How to approach overlapping regulations
- Risk assessment and control measures
- Liability for acoustic shock injuries

Holiday claims:

- Sexual assault and rape – is there any liability under the Package Travel, Package Holidays and Package Tours Regulations 1992?
- Trips and slips when leaving a cruise ship – who is responsible
- Disembarkation from a vessel being used for a fishing trip – what does disembarkation mean under the Athens Convention 1974?

Public and occupier's liability:

- Shops and dangerous items
- The duty of care in relation to driver only trains leaving platforms
- Occupiers' duties in relation to trips in amusement arcades and darkened areas
- Attempted murder in a prison gym – what should the prison authority be doing if they have intelligence on threats?
- Risk assessment – can a court infer causation when it is established the defendant knew of a risk? The role of experts in that process.
- Remoteness and Novus actus – what is the sole effective cause of an accident? When does a person's conduct eclipse the earlier negligence?
- When is the claimant a "visitor" under the Occupiers' Liability Act 1957 or a "trespasser" under the Occupiers' Liability Act 1984?
- What is the nature of the duty owed to visitors to a hospital?
- How is a hypoglycaemic attack and the effects of a pre-existing brain injury relevant to contributory negligence?

Fraud and fundamental dishonesty:

- Fraud and exemplary damages
- S57 fundamental dishonesty
- Can a defendant seek a finding of fundamental dishonesty after discontinuance?
- Committal to prison
- When is a failure to recover a head of damage fundamentally dishonest?

Procedure:

- Applications for further expert evidence – what is the test?
- Costs pre-proceedings where the claimant should have used the portal – the latest from the Court of Appeal
- The Supreme Court on the solicitors' equitable lien, contractual entitlement to be paid for work done for a client, when an insurer has notice the costs should be paid to the solicitor and not the client and the portals
- QOCS exceptions – when is the claim not for personal injuries?
- Service of claims out of the jurisdiction – the view of the Supreme Court
- Transfer of CFAs between firms – novation or assignment – Court of Appeal guidance
- The factors relevant in applying for a split trial
- Who is responsible when a costs draftsman make an error?
- QOCS and Part 20 claims
- Dealing with compromise agreements that preclude personal injury claims – will the claim be struck out?
- Privilege in communications relating to joint expert meetings under CPR 35

Damages:

- The latest from the Supreme Court on actionable injury
- Credit hire – is it recoverable when the liability to pay is only contingent on recovery from a third party?
- Is fear a personal injury?

CPR update:

- The 97th update
 - County court legal advisors
 - Summary of fixed costs changes for package travel claims
 - Professional negligence adjudication scheme