

PI UPDATE – SPRING 2024

BRAND NEW MATERIAL

This spring, enhance your knowledge with a masterclass led by renowned practitioners Brett Dixon and John McQuater. Gain invaluable insights into current practical tips and sector developments. Engage with a community of like-minded professionals in attendance, maximising your experience as you delve into practice, procedure, and the latest case law.

Topics include:

Road Traffic Collisions:

- Pedestrians
 - Police vehicle involvement and contributory negligence
 - Hazard perception and reaction times of drivers
- Vehicle and trailer maintenance

Employers Liability:

- Vicarious Liability
 - The sufficiently close connection test
 - Games in the workplace
- Work at Height cases
 - Pleading and succeeding post Enterprise Act
 - Safe systems of work
- Manual Handling
 - Adverse inferences where equipment has been disposed of
 - Risk assessment

Negligence, public and occupier's liability update:

- Causation
 - Dealing with competing causes, unknown causes and the unitary approach
- Highway claims
 - Cyclists and footpaths
 - Defects adjacent to the highway
- Horse riding accidents
 - Risk assessment, the Animals Act and loose dogs
- Slips and falls at pools and spa days
 - Pleading your case and avoiding mishaps
 - Identifying and defining the accident locus
- Professional negligence and the status of pre-retainer advice to clients
- Secondary Victims
 - The latest from the Supreme Court
 - Accident and non-accident cases
- Occupiers liability
 - Artificial surfing lagoons
 - Identifying risks from the state of the premises
 - The role of risk assessment
 - Discharging the duty of care
 - Dual occupiers
 - Obvious dangers

Procedure and Costs:

- CPR Update
- Fixed Recoverable Costs
 - What is happening
 - The new rule changes
 - Update on levels of costs
 - Outstanding issues
- Expert Evidence
 - The latest from the Supreme Court on the correct approach to unchallenged evidence
 - The use of Part 35 questions
 - Standard of proof in holiday sickness cases
 - Litigation privilege and recordings of examinations
- Non party costs orders and conditional fee agreements
 - Dealing with costs challenges raised post settlement
 - The role of QOCS post settlement
- QOCS
 - Claims for minimal damages for personal injury and assault/battery
 - Claims for the benefit of others – credit hire
 - The latest on QOCS in Scotland
- Alternative Dispute Resolution
 - Understanding the decision in Churchill
 - Can mediation or similar be mandated?
 - The interaction with the overriding objective
 - Practicalities to consider
- Pursuing defendants
 - Unincorporated associations
 - Representative actions
- Amendments to the value of the claim
 - Principals to be taken into account by the court
 - Identifying the balance of prejudice

Damages:

- Periodical payments
 - Indexation issues
 - Form of damages
 - Foreign indexation issues
 - Double recovery arguments and how should any annual surplus be treated
- Approval hearings

Sanctions:

- When is there an express sanction?
- When is there an implied sanction?
- When is there no sanction?
- Can the court impose a sanction (where none otherwise applies)?
- What are the key provisions in the CPR creating traps which catch the unwary with sanctions?

Issue and Service:

- Extending time for service of the claim form
- Good reason to authorize service of the claim form by an alternative method or at a place not otherwise permitted by the CPR?
- Electronic service
- Concession of jurisdiction by the defendant (even when the claimant makes an error)?