

# AIFC Court & IAC Webinars Programme 2020: WEBINAR 13: Legal responsibility for the wrongs of others. Who pays and in what circumstances?

**Speaker:**  
**Justice Lord Faulks QC**  
**AIFC Court**

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18 JUNE 2020



Lister v Hesley Hall Ltd  
(2001) UKHL 22

Trotman v North Yorkshire  
(1999) LGR 584

E v English Province of Our  
Lady Charity  
(2012) EWCA Civ 938

Catholic Child Welfare  
Society v Various Claimants  
(2012) UKSC 56

“(i) the employer is more likely to have the means to compensate the victim than the employee and can be expected to have insured against the liability;

(ii) the tort would have been committed as a result of activity being taken by the employee on behalf of the employer;

(iii) the employee’s activity is likely to be part of the business activity of the employer;

(iv) the employer by employing the employee to carry out the activity would have created the risk of the tort committed by the employee;

(v) the employee will, to a greater or lesser extent, have been under the control of the employer.”

Mohamud v WM Morrison  
Supermarkets Plc  
(2016) UKSC 11

Cox v Ministry of Justice  
(2016) UKSC 10

Barclays Bank Plc v  
Various Claimants  
(2020) UKSC 13

Morrisons Supermarkets Plc v  
Various Claimants  
(2020) UKSC 12



**Stage 1**

**Stage 2**

**Other basis of  
liability**

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