

# Sample Classroom Exercise: GCE Law (H524): Law of Torts (G147)

## Vicarious Liability Scenarios

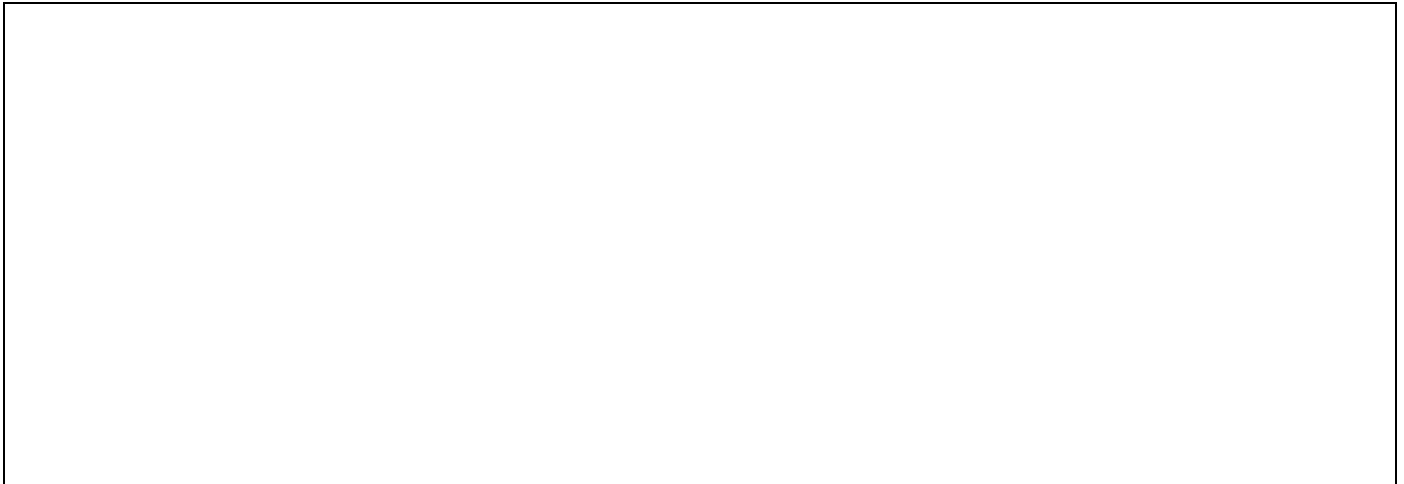
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Are the following employers vicariously liable in the scenarios below?

**Mark is a driver for Bulldoze. He has to buy his own vehicle and can select which days he wants to work. The vehicle has to be painted in the company colours and can only be used on company business. He does have wear a company uniform and he cannot hire other drivers in his place. He is paid a fixed amount but gets a bonus for the hours he works. Mark drives the lorry through a house causing significant damage.**

**Jenna and Kat both work for a railway company. Jenna is a driver and Kat is a ticket collector. The company rules state that only drivers are allowed to drive the train and that they must not exceed 70 mph. Jenna is running late and drives at 90 mph. This speed causes the train to shake and a passenger falls and is injured. Kat asks Jenna whether she can drive the train. Jenna is tired so agrees. Kat brakes too hard causing some passengers to be injured.**

**Bobby works in a petrol station. He notices that one of the customers is looking shifty. Bobby goes up to the customer and asks him to pay. The customer tells Bobby that he has forgotten his wallet. Bobby assaults the customer and takes his watch in respect of the payment.**



**In pairs develop a scenario regarding vicarious liability. Pass your scenario to another pair to complete. They will give you their scenario in return.**

**Scenario**



## *Rylands v Fletcher* Defences

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Match the cases to the defences

*Peters v Prince of Wales Theatre*

Volenti non fit injura

*Nicholls v Marsland*

Common Benefit

*Green v Chelsea Waterworks*

Act of God

*Eastern & South African Telegraph v Cape Town*

Act of a stranger

*Perry v Kendricks*

Transport damage caused by the fault of the claimant

*Dunne v North Western Gas*

Statutory Authority

The Charing Cross Case