This chapter examines the principle of vicarious liability, a form of secondary liability through which employers may, in certain circumstances, be liable for the torts of their employees, even though the employer themselves may be entirely blameless. The imposition of vicarious liability is one of the most important exceptions to the general approach of the common law whereby liability for any wrongdoing is imposed on, and only on, the wrongdoer(s). A defendant will not be vicariously liable unless the following conditions are met: (a) there is an employer–employee relationship between the defendant and the person for whose actions they are being held liable; (b) the employee committed the tortious act while acting in the course of their employment.

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