This chapter focuses on the liability of an occupier to persons who are injured on their premises and the Occupiers’ Liability Acts of 1957 and 1984. The discussion considers the relationship between occupiers’ liability and negligence, what makes someone an ‘occupier’ or ‘visitor’, the duty owed to visitors and to trespassers and other non-visitors, and the exclusion of liability. The basis of liability is fault, and, to visitors at least, the duty differs little from the requirements of negligence, but there are sufficient differences to make it subject to a special chapter. These differences arise partly for historical reasons, but also because of the need to balance the rights of the occupier to deal with their property as they wish and the need to protect entrants from injury.
10. Occupiers’ liability

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