This chapter discusses both common law and statute on employers' liability and vicarious liability. Employers' liability is concerned with the employer's personal, non-delegable duty in respect of the physical and psychological safety of his employees. This was established in *Wilsons and Clyde Coal v English* (1938) and is reinforced by the statutory requirement that employers have compulsory insurance. Vicarious liability involves the employer being liable to a third party for the tort of his employee. This must occur in the course of employment, a concept which was redefined in *Lister v Hesley Hall* (2002). The employment relationship has been re-examined in the light of institutional child abuse cases.
9. Employers’ liability and vicarious liability

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