

Preface to the Third Edition

‘The law of vicarious liability is on the move’ said Lord Phillips in *Various Claimants v Catholic Child Welfare Society* and others in 2012. His lordship was not wrong, but his comments would apply equally to other aspects of the law in child abuse cases – from limitation to quantum, via liability and causation.

APIL first recognised the need for a handbook for those representing survivors of abuse in compensation claims in 2001. At that time this burgeoning sub-field of personal injury litigation seemed ripe for specific guidance and was fertile ground for new law. In 2011 there was clearly a need for a full update and a second edition. The fact that this book is now in its third edition illustrates the need for practitioners to keep up with the ever-developing jurisprudence in the area.

For this edition a new chapter on Scotland has been added and a whole raft of updates on quantum judgments, limitation, failure to remove cases following the Supreme Court’s decision in *CN v Poole*, *Armes v Nottinghamshire County Council* on vicarious liability for foster carers, *Woodland v Essex County Council* on non-delegable duty and a whole host of judgments on vicarious liability in the highest courts in the land.

Parliament has not been idle either, LASPO 2012 and the Data Protection Act 2018 have led to real changes in how cases are funded and how evidence is gathered respectively, whilst the CICA scheme was revised in 2012 and looks set to be revised again. In addition since 12 March 2015, we have all been litigating against the backdrop of a statutory inquiry into child sexual abuse – IICSA – which continues to hear evidence and publish reports and recommendations for the future. All in all the second edition of this handbook has been thoroughly revised and brought up to date with (for example) new sections on lay witness evidence, liability for indecent images, and the modern law of safeguarding, and updates on aggravated damages, limitation and the defence of consent.

Ultimately the authors’ intent is to have produced an easily accessible manual which assists fellow lawyers representing abuse survivors in their just cause for compensation. We all have an obligation to keep up to speed with the pace of change in the law so that we can properly serve our clients to the best of our

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abilities. The authors hope that this work will go some way to assist in that endeavour.

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