

JUSTISONE CASE LAW

Quick Reference Guide



JustisOne

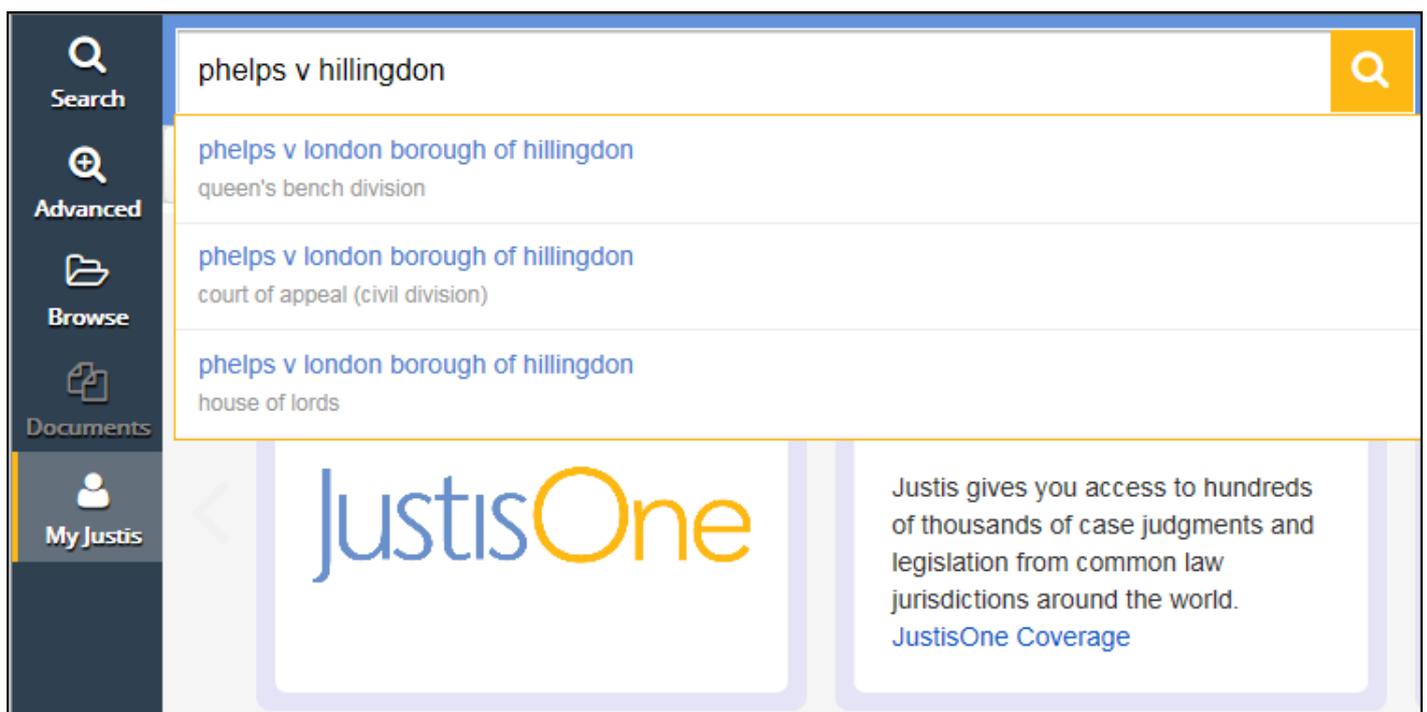
JustisOne has replaced the Justis and JustCite databases.

Coverage includes:

- Court of Appeal Judgments (Criminal Division 1963-1989, 1993 onwards; Civil Division 1951 onwards)
- Times Law Reports 1990 onwards
- Bermuda Law Reports & Judgments
- British Virgin Islands Cases
- Jamaican Cases
- Judgments from many other Caribbean jurisdictions

Quick search

Use the search bar at the top of the screen to search by title, citation, court, judge or keywords. Boolean search operators can be used in this bar. (See later section on search language.)



The screenshot displays the JustisOne search interface. On the left is a dark sidebar with navigation icons and labels: 'Search' (magnifying glass), 'Advanced' (magnifying glass with plus), 'Browse' (folder), 'Documents' (stack of papers), and 'My Justis' (person icon). The main search bar contains the text 'phelps v hillington' and a search button. Below the search bar, three search results are listed:

- phelps v london borough of hillington
queen's bench division
- phelps v london borough of hillington
court of appeal (civil division)
- phelps v london borough of hillington
house of lords

At the bottom of the interface, the JustisOne logo is displayed on the left, and a promotional message is on the right: 'Justis gives you access to hundreds of thousands of case judgments and legislation from common law jurisdictions around the world. [JustisOne Coverage](#)'.

Advanced search

Select the **Advanced** search option on the left of the screen. Then click on the **Cases** tab. This gives more options for searching with specific fields such as Court, Year, Judge, Date.

The screenshot displays the 'Advanced search' interface. At the top, a search bar contains the text 'Title[phelps v hillington]'. Below the search bar are four tabs: 'All', 'Cases', 'Legislation', and 'EU'. The 'Cases' tab is selected. On the left side, there is a vertical navigation menu with icons and labels for 'Advanced', 'Browse', 'Documents', and 'My Justis'. The main search area contains several filter fields, each with a colored vertical bar on the left and an information icon on the right:

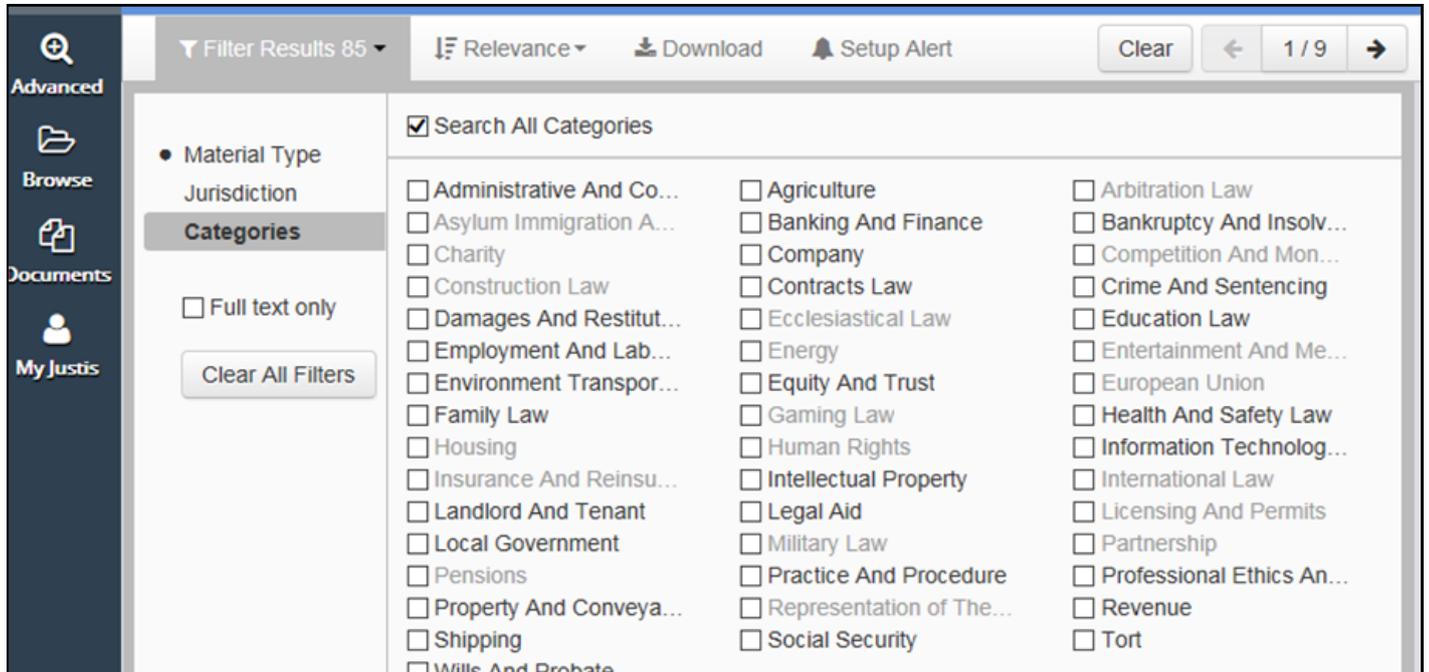
- Party Names: phelps v hillington
- Citation: (empty)
- Full Text: (empty)
- Category: (empty)
- Court: (empty)
- Year: (empty)
- Judge: (empty)
- Date: dd/mm/yyyy
- To: dd/mm/yyyy

On the right side, there are two sections of report series:

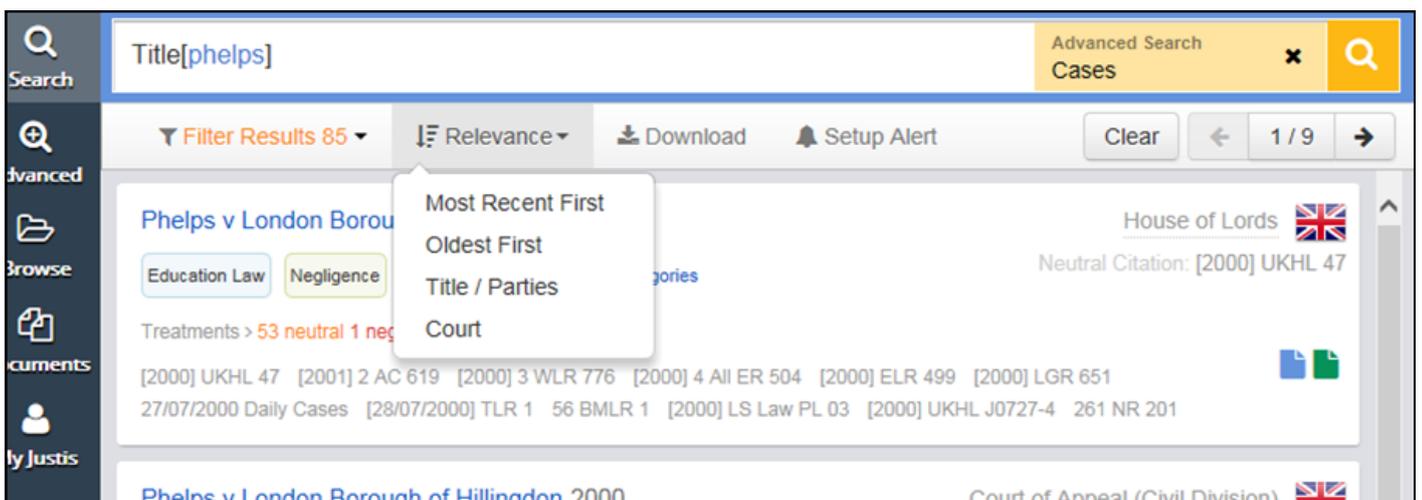
- Core Products**
 - Australian Judgments
 - Canadian Judgments
 - Caribbean Judgments
 - Council of Europe Cases
 - Irish Judgments
 - New Zealand Judgments
 - United Kingdom Judgments
- Report Series**
 - Aspinall's Maritime Cases
 - Bermuda Law Reports
 - Cayman Islands Law Reports
 - CCH British Tax Cases
 - Commercial Law Cases
 - English Reports
 - Extradition Law Reports

Filtering results

If you retrieve too many hits you can use the Filter Results tab. The options are to filter by Jurisdiction, Material Type (if you have searched across more than one material type) and Categories. You can add additional subjects from the categories list to narrow the search further.



The Relevance tab will allow you to list your hits in different orders: Most Recent First or Oldest First; by Title/Parties and by Court.



Browsing

Select the **Browse** option on the left of the screen.

In the first column choose a document type e.g. Cases, Statutes or Statutory Instruments.

If you select Cases, the next column allows you to select the parameters you want to search by e.g. Category (subject), Court, Year, Reports or Year Reported. You can continue to drill down by using the additional columns and their drop down menus.

The screenshot displays a legal database interface with the following components:

- Search Bar:** Located at the top, containing a search icon and a search button.
- Buttons:** "Show documents" (orange) and "Clear" (grey).
- Navigation Panel (Left):** Includes "Advanced", "Browse", "Documents", and "My Justis" sections.
- Browse Column:** Contains a "Full Text Only" checkbox and a list of document types: Cases, Statutes, Statutory Instruments, and EU.
- Court Column:** Features a search filter and a list of courts with their document counts. The "Court of Appeal" is highlighted.
- Year Column:** Features a search filter and a list of years with their document counts. A dropdown menu is open, showing options for "Category", "Reports", and "Year Reported".

Court	Count
POPULAR	
Chancery Division	28,505
Chancery Division (Ireland)	2,437
Court of Appeal	23,521
Court of Appeal (Alberta)	11,847
Court of Appeal (Bahamas)	2,388
Court of Appeal (Barbados)	1,089
Court of Appeal (Bermuda)	1,741
Court of Appeal (British Colum...	22,304
Court of Appeal (Civil Division)	78,041

Year	Count
2016	1
2014	1
2012	247
2011	14
2009	1
2007	1
2005	14
2004	11

Click **Show documents** to view the results for the parameters chosen.

The **Clear** button will close the columns and take you back to the starting point for browsing.

Viewing your case

When you have found your case, information will be displayed on the right and left of the screen. On the left of the screen, there will be a notification if the case has been heard in a higher court or has been overruled. There will also be tabs for cases that your case has cited and also cases which cite your case.

Also on the left side will be the most frequently quoted passages of the judgment (highlighted in pink).

The screenshot displays a legal database interface. On the left is a dark sidebar with navigation options: 'Advanced' (magnifying glass icon), 'Browse' (folder icon), 'Documents' (document icon), and 'My Justis' (person icon). The main content area is titled 'Results' and shows the case 'Phelps v London Borough of Hillingdon 2000' with a UK flag icon. Below the title, it indicates the court as 'Court of Appeal (Civil Division)' and includes a red notification: 'Heard in a higher court.' There are five tabs: 'Overview' (selected), 'Cited Cases', 'Cited Legislation', 'Citing Cases', and 'Categories'. The case citation is 'Phelps v London Borough of Hillingdon [1998] EWCA Civ J1104-19, [1999] 1 WLR 500'. Below the citation are three category tags: 'Tort', 'Negligence', and 'Duty of Care'. A pink highlighted quote is shown with purple quotation marks: 'Alternatively, it can be put on the basis that it is not fair, just and reasonable to single out one of a number of professionals for the imposition of such duty in the absence of a clear assumption of responsibility on that person's part going well beyond what is merely the performance of that person's duty to the LEA.' A button at the bottom right says 'Highlight all quoted passages'.

Click on the **Highlight all quoted passages** button to see every sentence of the judgment that has been subsequently quoted. These will be displayed on the left of the screen. A heatmap will indicate which sections have been cited the most. By clicking on a passage you can see which other cases have quoted that passage. Click on the case or paragraph number in the pop up to go to the quoting judgment.

← Results

Phelps v London Borough of Hillingdon 2000

House of Lords ▾

Overview Cited Cases Cited Legislation Citing Cases Categories

or professional skills by an employee acting in the course of his authority, the local authority will be vicariously liable if the existence of such a duty does not conflict with the proper exercise by the local authority of its statutory powers and discretions; (iv) where an assumption of responsibility is necessary to give rise to a duty of care, the mere advising of a local authority as to how to exercise its statutory powers does not of itself constitute the assumption of responsibility; (v) a claim for compensation for failure to diagnose or ameliorate the consequences of dyslexia is a claim for economic loss for which an assumption of responsibility must be shown before a duty of care can arise.

“ Opinion has differed on the question whether the language of an assumption of responsibility in *Smith v. Bush*[1990] 1 A.C. 831 Lord Griffiths observed (at pp. 862 and 864) that a voluntary assumption of responsibility was a helpful or realistic test for liability, at least in the context of a duty of care.

“ The former may be resolved by considerations of policy, and in particular whether it is reasonable to admit such a duty.

“ The test for the existence of a duty of care which looks to what the court considers it is reasonable to foresee is of a different order from the test of proximity or neighbourhood with its foreseeability.

“

Quoted in

- [Meherali \(Respondent/Claimant\) v Hampshire County Council \(Applicant/Defendant\) at \[14\]](#)
Queen's Bench Division
- [Carty v Croydon London Borough Council at \[48\]](#)
Queen's Bench Division
- [Leanne Kendall v Southwark Borough Council at \[17\]](#)
Queen's Bench Division
- [Carty v Croydon London Borough Council at \[13\]](#)
Court of Appeal (Civil Division)

On the right of the screen, there are tabs to retrieve the judgment and reports of the case (where available).

The screenshot shows a web interface for a legal database. At the top, there are four tabs: "Judgment" (selected), "The Times Law Reports", "Maritime Law Book", and "Citations & Sources". Below the tabs is a toolbar with several icons: a search box, a pencil icon, up and down arrows, a "Hide Header" button, a "Read" button, and a "PDF" button. The main content area displays the following text:

[2000] UKHL J0727-4
HOUSE OF LORDS

Lord Slynn of Hadley Lord Jauncey of Tullichettle Lord Lloyd of Berwick Lord Nicholls of Birkenhead Lord Clyde Lord Hutton Lord Millett

Phelps (A.P.)
(Appellant)

and

Mayor Etc. of the London Borough of Hillingdon
(Respondent)
Anderton (A.P.)
(By her Mother and Next Friend) (Appellant)

and

Clwyd County Council
(Respondents)

In Re G (A.P.)(A Minor) (By his Next Friend)

Jarvis (A.P.)
(Appellant)

and

The **Citations & Sources** tab will allow you to find the case on other sources such as Lexis Library, Westlaw and BAILII.

The screenshot shows a web interface with three tabs: "Judgment", "The Times Law Reports", and "Citations & Sources". The "Citations & Sources" tab is active. Below the tabs, there is a "Show all" button and a "Group by" dropdown menu set to "Citation".

The interface displays three sections of search results, each with a title, a citation reference, and a list of source buttons with right-pointing arrows:

- Official Judgment (EW)** with citation **[2000] UKHL 47**. Source buttons include JustisOne and BAILII.
- The Law Reports** with citation **[2001] 2 AC 619**. Source buttons include ICLR, SAL LAWNET, SAL LEGAL WORKBENCH, Lexis® Library, Lexis® Library Athens/Shibboleth, Westlaw.UK (OLD), Westlaw.UK, Westlaw.UK Athens, and The Law Society.
- Weekly Law Reports** with citation **[2000] 3 WLR 776**. Source buttons include ICLR, SAL LAWNET, SAL LEGAL WORKBENCH, Lexis® Library, Lexis® Library Athens/Shibboleth, and Westlaw.UK (OLD).

A vertical scrollbar is visible on the right side of the interface.

On the right hand side of the screen there is an option to download the judgment. There is also a Precedent Map that shows how the case relates to other cases.

There is a Read mode that will open the judgment in full screen or PDF mode if you want to see the original judgment.

Download ▾ Precedent Map

Judgment The Times Law Reports Citations & Sources

Hide Header Read PDF

[1998] EWCA Civ J1104-19

IN THE SUPREME COURT OF JUDICATURE COURT OF APPEAL (CIVIL DIVISION)

ON APPEAL FROM QBD (GARLAND J.)

Royal Courts of Justice

Strand, London, WC2A 21L

Before:

Lord Justice Stuart-Smith

Lord Justice Otton

Lord Justice Tuckey

QBENF 97/1404 CMS1

Pamela Helen Phelps
Respondent

and

The Mayor And Burgesses
London Borough Of Hillingdon
Appellants

PRINTING AND EMAILING

Click on the **Download** option.

Tick the option you require.

Follow instructions to Save and Open.

You will then be given options to print or email.

Printing costs 10p per page and can be collected from the Enquiry Point.

You can also print from the **PDF** tools.

Search Language

“Quotation marks” - use quotation marks around your search terms to find an exact phrase

e.g. “paternity leave”

AND - use AND to retrieve search terms within the same document

e.g. “maternity leave” and discrimination

OR - use OR to retrieve either search term or both

e.g. “paternity leave” or “maternity leave”

***** - to retrieve words with variant endings, use an asterisk

e.g. employ* will retrieve employ, employee, employer etc.

For more information on search operators go to www.justis.com/support