

Wilson v Tyneside Window Cleaning Co. [1958]

Evidence

The applicant worked for Tyneside Window Cleaning Co as a window cleaner and had a vast experience in the field. The defendant sent him to clean windows in the buildings with which Tyneside Window Cleaning Co had a contract. The latter hadn't examined the buildings, however Mr. Wilson was told to ignore those windows that were difficult to clean in a safe manner and tell about it post factum. The applicant got into an accident and received injuries while executing his duties.

Problematics

The Court has rejected the claim. However, the claimant disputed this decision, saying that the defendant as an employer neglected its duties on providing safety to its workers and put Mr. Wilson at an unnecessary risk.

Resolution

The Court of Appeal has once again rejected Mr. Wilson's claim, saying that the employer took care of its worker's safety by asking not to put oneself at an unnecessary risk. Hence, Tyneside Window Cleaning Co was not liable for the injuries of the applicant. The employer has common law obligations to provide a safe working space for its employees in its own premises and in the property of third parties. However, in Mr. Wilson's case, the necessary care was provided, as the defendant told him to ignore windows that were difficult to clean safely and the applicant was an experienced worker, able to recognize windows that could be dangerous.

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