

Occupier's Liability, Medical Reports & Damages



by

Mr. Jackson C.P. Poon,
Barrister-at-Law,
Cheng Huan Q.C., S.C.'s Chambers;
Mr. Edward Poon,
Barrister-at-Law, 601 Dina House
and

Dr. Chak Hing Chung, Eric,
Specialist of
Orthopedic & Traumatology



Mr. Jackson Poon was called to the Hong Kong Bar in 1986. He is experienced in dealing with civil and criminal cases. In 1994 and 1995, he sat as a Deputy Magistrate for the Judiciary. In 1995, he joined the then Legal Department (now Department of Justice) directly as a Senior Crown Counsel. In 2006, he returned to private practice. He is now in Cheng Huan S C Chambers involved in civil cases and criminal litigation. In August 2014, he sat as a Deputy District Judge.



Mr. Poon has handled numerous personal injury cases and has given many lectures on personal injury. He has also handled cases involving Employees Compensation, Incorporated Owners disputes, Lands Tribunal trials, Trust, Commercial disputes, Sales of Goods, Manufacturing of Goods, Construction, Dishonoured Cheques, Defamation, Landlord and Tenant disputes, Conveyancing disputes, Employment disputes, Land disputes, Company matters and Judicial Reviews. He has handled various criminal cases and he is a listed mediator of the Bar Association.

Various law lectures had been delivered by him for the University of Hong Kong, Hong Kong Polytechnic University, City University, Law Society, Butterworths, Police Detective Training School and Criminal Advocacy Courses of the Department of Justice.

I obtained LLB in 2004 from the University of Nottingham. I obtained PCLL in 2005 from HKU. I was called to the Bar in 2006. I was one of those who designed the HKU PCLL personal injuries course in 2008 - 2009. I was accredited as a general mediator in 2011 by HKIAC. I obtained Masters in Counselling in 2012 from the University of Monash. I received family mediation training from the Family Welfare Society. I was accredited as a family mediator in 2013 by HKIAC. I am a general and family mediator of the HKMAAL. I am an editor of the LexisNexis Dispute Resolution module. I am married with 2 kids.



As a barrister in 601 Dina House, I am often instructed to work on general civil and personal injuries cases. I am also regularly instructed to conduct criminal trials and appeals. As a mediator, I stay mindful to the legal and psychological aspects of the case. People become angry or depressed due to legal disputes. I think psychotherapeutic techniques are very helpful.

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55 Des Voeux Road Central, Central, Hong Kong

Dr. Chak Hing Chung, Eric, Specialist of Orthopedic & Traumatology

Education

Basic Degree Bachelor of Medicine and Bachelor of Surgery,
The Chinese University of Hong Kong

Higher Qualification F.R.C.S (Edinburgh), 1999
F.R.C.S Edin.(Ortho), 2003
F.H.K.C.O.S., 2003
F.H.K.A.M., 2003

Teaching Post

01.2005 - Present Trainer of Hong Kong College of Orthopedic Surgeons
09.2006 Faculty of Basic Surgical Skill Course
of Royal College of Surgeon of Edinburgh

06.01.2007 Speaker of Hospital Authority Commissioned Training
for Radiographer

15.10.2011 Instructor Basic Surgical Skill Course
of Hong Kong College of Orthopedic Surgeon



Working Experience

07.1995 - 06.1996 House Officer in TMH, PWH
07.1996 - 03.2007 Medical Officer in Dept. of O&T, TMH
03.2007 - Present Private Practice

Social Service

2010 - 2011 Member of Rotary Club of Peninsula
2011 - 2012 Vice President Rotary Club of Peninsula
2012 - 2013 President Elect Rotary Club of Peninsula

Presentations

10.11.2005 Geriatric Hip Fractures in a Regional Hospital
HKOA Annual Congress 2001

10.11.2005 Facet fracture dislocation in a Regional Hospital
HKOA Annual Congress 2005

Occupier's Liability

- Section 3 of the Occupier's Liability Ordinance (Cap. 314)
- Occupation by a contractor
- Meaning of premises
- Meaning of visitors
- Contributory Negligence in Slip and fall cases
- Occupational Safety and Health Ordinance (Cap. 509)
- Factories and Industrial Undertakings Ordinance (Cap. 59)
- Liability of the Incorporated Owners
- Public Nuisance
- Negligence
- Contributory Negligence
- Negligence of Children
- Duty in selecting independent contractors
- *Duty of care with an independent contractor*
- Res Ipsa Loquitur
- Effect of a criminal conviction
- Expert Evidence

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Damages

- Special Damages

1. Pain, suffering and loss of amenities (PSLA)
2. Loss of society/services
3. Pre-trial loss of earnings
4. Loss of earnings/service the persons taking care of the Plaintiff
5. Other expenses caused by the injury

- General Damages

1. Loss of future earnings
2. Important case of Chan Pak Ting on multiplier

3. Loss of Earning Capacity

4. Future Medical Expenses

5. Future Fund Manager

6. Interests

7. Employees compensation payment

8. Tax liability

9. Sanctioned Offer

10. Costs

11. High Court scale/District Court scale costs?

Scan to Calendar



Code:	EVT000000079	Level:	Intermediate
Date:	24 October 2015 (Saturday)	Language:	Cantonese (Course Materials in English)
Time:	09:30 - 12:45 (Reception starts at 09:00)	Accreditation(s):	LSHK 3.0 CPD Points (LSHK Allocated Number: 20152277)
Venue:	Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details



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