

## George Applebey

Visting Lecturer in Residence

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### About

George Applebey is an expert in the fields of Contract law, Health and Safety law, and Dispute Resolution in the Civil Justice system. George took part in the landmark worldwide survey of civil justice 'Access to Justice' organised by Professor Mauro Cappelletti of the University of Florence in the 1970s, in which he wrote a chapter on small claims courts. In the 1980s along with Professor Evelyn Ellis he undertook a study of the Equal Opportunities Commission and the Commission for Racial Equality (as they then were) which received widespread academic and media attention. This led to an invitation to review the working of discrimination legislation in Northern Ireland for the Standing Advisory commission on Human Rights. The final report of this body was a precursor to the Fair Employment (Northern Ireland) Act 1989. He is vice-president of the Holdsworth Club.

### Qualifications

- LLB Glasgow University 1969
- MCL Tulane Law School, New Orleans, Louisiana 197

### Biography

George grew up in Glasgow and attended Jordanhill School. He is a graduate of Glasgow University and Tulane University Law School in New Orleans, Louisiana and joined Birmingham Law School in 1973. He was a law clerk with a firm of lawyers 1970-71 in New Orleans, and took a six month gap touring South America before taking up a one year teaching appointment at the University of Kent at Canterbury 1972-73. He has held visiting appointments at the University of Colorado at Boulder, the University of San Diego, and given visiting lectures at the University of Otago, and was part of regular conference participation with Laval University in Quebec.

He has taught Contract law since 1973 and is author of a textbook (*Contract Law*, Sweet and Maxwell, 2001) on the general principles of contract law. His interest in this area of law includes Sale of Goods law, particularly as it relates to consumers. He has a wide experience of teaching Health and Safety Law in both its regulatory criminal aspects stretching back to the earliest days of the Health and Safety at Work Act in 1974, and also to the civil aspects of employer's liability. His career has extended to teaching the American equivalent of this subject in the United States. From 1987-93 he was member of the Industrial Injuries Advisory Council.

George took part in the landmark worldwide survey of civil justice 'Access to Justice' organised by Professor Mauro Cappelletti of the University of Florence in the 1970s, in which he wrote a chapter on small claims courts. Between 1982-2000 George was assistant Editor of the Civil Justice Quarterly. His main interest in this field centres on Alternative Dispute Resolution, particularly mediation and its relationship with civil litigation.

In the 1980s along with Professor Evelyn Ellis he undertook a study of the Equal Opportunities Commission and the Commission for Racial Equality (as they then were) which received widespread academic and media attention. This led to an invitation to review the working of discrimination legislation in Northern Ireland for the Standing Advisory commission on Human Rights. The final report of this body was a precursor to the Fair Employment (Northern Ireland) Act 1989

### Teaching

George lectures on Contract Law, both within the Obligations A course and in Contract law for the GDL students. He is module leader and teacher for the Law of Health and Safety at Work courses both at LLB and LLM level. He also teaches Domestic Sale of Goods law at LLB, final year level and also postgraduate within Agency and Sale of Goods and lectures on Mediation in the Civil Procedure course. He takes students for 20 credit dissertations in all three of these areas as well as supervising summer dissertations on the LLM degree

### Research

George is part of a team of eight European scholars who have worked on a volume on Civil Procedure law in the 'Ius Commune Casebooks for the Common Law of Europe' series. The international team, from England, France Germany and the Netherlands met in Maastricht and Leuven to discuss progress on their work, under the general editorship of Professor Remco van Rhee from the University of Maastricht. The Ius Commune series as originally envisaged by Professor Walter van Gerven, its founder, aims to explore the extent to which, despite differences in approach, concepts and terminology, common principles underlie the laws of the EU Member States. There will be approximately 20 volumes when the series is finished, prepared by a team of experts, each of whom was primarily responsible for particular chapters or sections. George Applebey's chapter focuses on mediation in the main jurisdictions of Western Europe and also on recent EU involvement in mediation and also on small claims courts in Europe

George is about to embark on work a new textbook on Contact law aimed at the upper end of the expanding student market, entitled 'Exploring Contract Law' for Pearson Longma

### Other activities

George Applebey has been the Vice President of the Holdsworth Club since 1994 to the present time. The Vice President is chair of the Trustees of the Holdsworth

Club, oversees the working of the Holdsworth student committee, supervises the annual elections is responsible for the annual return of accounts to the Charity Commission and liaises with the annual President of the Club who is normally a senior member of the judiciary. In 2011-12 the President of the Holdsworth Club is Lord Neuberger the Master of the Rolls. For further information on the Holdsworth Club visit [www.holdsworthclub.org](http://www.holdsworthclub.org) (<http://www.holdsworthclub.org>)

## Publications

### Books

- *Contract Law* Sweet and Maxwell, 2001
- *A Practical Guide to the Small Claims Court*, 4th ed, Tolley Lexis Nexis (1st edition, 1994)
- *Small Claims in England and Wales*, Institute of Judicial Administration, Birmingham University, 1978
- Harrington and Gill with Applebey "*Occupational Health*", 2nd and 3rd editions, Blackwell Scientific Publications, Oxford, 1987, 1992

### Chapters in Books

- "Small Claims in England and Wales" in "Access to Justice" ed. Cappelletti and Weisner. Vol. II, Book II, p.p. 685-763
- "Some Recent Developments in the Common Law" in *Recent Advances in Occupational Health* (ed. Harrington) (Churchill Livingstone, Edinburgh, 1986)
- "Law and Employment Discrimination: The Working of the Northern Ireland Fair Employment Agency" in "Discrimination and Public Policy in Northern Ireland" (eds. Cormack and Osborne) (Oxford University Press, 1991) (with E Ellis)
- Chapter in "Alternative Dispute Resolution and the Civil Justice System" in *A Handbook of Dispute Resolution* (ed. Mackie), (Routledge, Kegan, Paul, 1991).
- "Alternative Dispute Resolution", (In *Alternative Dispute Resolution*, (ed C Sansom & J McBride, Laval University Press, 25-43, Quebec 1993)
- Small Claims, (In *Alternative Dispute Resolution*, Laval University Press, 43-53, Quebec, 1993)

### Articles and Notes

- "Health and Safety at Work" in "Aspects of Anglo-Canadian and Quebec Administrative Law", Universite Laval 1979, 281-327
- "The British Health and Safety at Work Act after Five Years" (1979) *Les Cahiers de Droit*, Universite Laval, 695-724
- "Hong Kong Fir Revisited: The House of Lords and Certainty in Contracts" (1982), *Lloyds Maritime and Commercial Law Quarterly*, pp. 592-610 (with F Meisel)
- "Formal Investigations: The CRE and EOC as Law Enforcement Agencies" (1984), *Public Law*, pp. 236-276 (with E Ellis)
- "Justice Within Reach? - Review of Progress in Reforming Small Claims" (1987), 6, *Civil Justice Quarterly*, p. 214-236
- "An Overview of Alternative Dispute Resolution" 17 *Holdsworth Law Review* (January 1995)
- "Small Claims and the County Court" 1978, *New Law Journal*, pp. 1058-59 Law Commission" (1982), *Civil Justice Quarterly*, 193
- "The Commission for Racial Equality and the "Spider Web" (1982), *Civil Justice Quarterly*, pp. 301-306
- "American Research on Civil Justice" (1982), *Civil Justice Quarterly*, 306
- "Amending the Race Relations Act: Proposals of the CRE" (1983), 2, *Civil Justice Quarterly*, pp. 313-319 (with E Ellis)
- "Judicial Statistics Annual Report 1981", (1983) 2 *Civil Justice Quarterly*, pp. 208-215
- "Commissions Undone", *New Statesman*, 6 July, 1984 (with E Ellis)
- "Seventh International Congress on Civil Procedural Law" - Wurzburg (1984), 3 *Civil Justice Quarterly*
- "Third Comparative Law Colloquium Birmingham-Laval 1984" (1984), 3, *Civil Justice Quarterly*, 289
- "Discovery" *Faculty of Occupational Medicine Journal*, June 1984, 11-13
- "Blackening the Prestige Pot? Formal Investigations and the CRE" (1984), 100, *Law Quarterly Review*, 249-355 (with E Ellis)
- "New Rules of Procedure for Industrial Tribunals and the E.A.T." (1985), 4 *Civil Justice Quarterly* 208-210
- "Small Claims in Birmingham County Court" (1985), 4, *Civil Justice Quarterly*, 203-208
- "First Annual Report of the Chief Adjudication Officer (1986), 4, *Civil Justice Quarterly*.
- "The Lord Chancellor's Small Claims Review" (1987), 6, *Civil Justice Quarterly*, 18- 24
- "Eighth World Procedural Law Conference in the Netherlands" (1987) 6 *Civil Justice Quarterly* p. 17-18
- "Religious Equality of Opportunity in Northern Ireland" (1987) 6 *Civil Justice Quarterly* p. 18-23
- "The Civil Justice Review: Small Claims" (1988) 7 *Civil Justice Quarterly*
- "Two Proposals for Industrial Tribunals" (1989) 8 *Civil Justice Quarterly*
- "Rule Changes for Small Claims" (1991) 10 *Civil Justice Quarterly*, 8-10 *Lay Representatives in Small Claims* (1992) 11 *Civil Justice Quarterly*, 343-345
- *New County Court Rules for Small Claims* (1993) 12 *Civil Justice Quarterly* 20-23
- "The Courts Charter" (1993) 12 *Civil Justice Quarterly* 141-143
- "Report of the Joint Working Party on the London County Courts" (1994) 13 *Civil Justice Quarterly* 107-111
- "The Growth of Litigants in Person in English Civil Proceedings" (1997) *Civil Justice Quarterly* 127-144
- "The New Small Claims Track" (1999) *CJQ* 87-91
- "Ein Ueberblick uber Risiken und unterschiedliche Fragen nach dem Occupational Health and Safety Law and for Injuries at Work im Vereinigten Konigreich" (2003) *Zeitschrift fur europaisches goziel und Arbeitsrecht* pp 312-317
- 'The Butcher's Cart and the Postman's Bicycle' in *Risk and the Law* ed Woodman and Klippel, Routledge and Cavendish, 2009, pp172-183

### Official Reports

Report to the Standing Advisory Commission on Human Rights, Northern Ireland, Anti-Discrimination Review "The Scope and Coverage of the Fair Employment (Northern Ireland) Act 1976 and on the Fair Employment Agency (with E Ellis). The final report of the Standing Advisory Commission based on our research is published as "Religious and Political Discrimination and Equality of Opportunity in Northern Ireland: Report on Fair Employment" 199 pp. (HMSO, London, October 1987, Cmnd. 237).

**Industrial Injuries Advisory Council Reports:** (all HMSO) Non-Ionising Radiation (Cm 253, 1987) Halogenated etc. and N-Hexane (Cm 254, 1987) Bronchitis and Emphysema (Cm 379, 1988) Chlamydia and Q-Fever (Cm 742, 1989) Respiratory Diseases in Textile Workers (Cm 778, 1989) Cancer of the Larynx (Cm 779, 1989) Occupational Deafness (Cm 817, 1989) Occupational Zoonoses (Cm 1243, 1990) Occupational Asthma (Cm 1244, 1990) Occupational Deafness (Cm 1245, 1990) Respiratory Diseases in Welders (Cm 1402, 1991) Work Related Upper Limb Disorders (Cm 1402, 1991)

## Conference Papers

At the Universities of Oxford, Cambridge, London, St Andrews, Aberdeen, Laval (Quebec), Colorado, Nebraska, European University Institute, Florence, Hamburg, European Academy of Law, Trier, Bayreuth, Otago (New Zealand), among others.

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