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Update Summary

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UPDATE 92

DECEMBER 2023

PERSONAL INJURY LAW MANUAL
QUEENSLAND

G Murphy & S Jensen

Currently updated by
Lisa Blumke

Material Code 41906995
Print Post Approved PP255003/00458
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COMMENTARY

The following new commentary has been provided by Lisa Blumke.

Occupier's liability

Sporting premises

In *USM Events Pty Ltd v James* [2023] QCA 71, the main issue focused on the factual finding at first instance that the remedial action of using barriers to separate para-athletes from able-bodied athletes in a duathlon significantly increased the risk of able-bodied athletes colliding with one another. See [8.350].

Recreational grounds

In *Townsville City Council v Hodges* [2023] QCA 136, the respondent claimed damages for injuries she sustained when she stepped into an obscured hole whilst walking through a park. At first instance the Council was held liable for the plaintiff's injuries because it ought to have known of the existence of the hole and taken steps to address that risk. On appeal the critical issue was what precautions a reasonable person in the position of the Council would have taken. See [8.450].

The following have been updated with the latest figures:

Tables and Social Security Benefits

Tables

- General damages awards under the Civil Liability Act 2003 (Qld) – ISV Scale. See [12.65].
- Medium life expectancies for males and females, Australia, 2024. See [12.70].
- Life tables, Australia. See [12.75].
- Litigation Tables – Historical versions. See [12.83].