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EU Law Elspeth Berry, Matthew J. Homewood, Barbara Bogusz, 2013

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resistant to change than might have been expected

Common Law and Civil Law Perspectives on Tort Law

Mauro Bussani, Anthony James Sebok, Marta Infantino, 2022 The place of tort law Negligence and strict liability Recovery for physical harms the case of medical malpractice Non economic damage and primary victims Recovery of secondary victims for economic harm and emotional distress Compensation for pure economic loss Causation Products liability Scholars of Tort

Law James Goudkamp, Donal Nolan, 2019-10-03 The publication of Scholars of Tort Law marks the beginning of a long overdue rebalancing of private law scholarship Instead of concentrating on judicial decisions and academic commentary only for what that commentary says about judicial decisions the book explores the contributions of scholars of tort law in their own right The work of a selection of leading scholars of tort law from across the common law world ranging from Thomas Cooley 1824 1898 to Patrick Atiyah 1931 2018 is addressed by eminent current scholars in the field The focus of the contributions is on the nature of the work produced by each of the scholars in question important influences on their work and the influence which that work in turn had on thinking about tort law The process of subjecting tort law scholarship to sustained analysis provides new insights into the intellectual development of tort law and reveals the important role played by scholars in that development By focusing on the work of influential tort scholars the book serves to emphasise the importance of legal scholarship to the development of the common law more generally **Tort Law and the Legislature**

TT Arvind, Jenny Steele, 2012-12-21 The study of the law of tort is generally preoccupied by case law while the fundamental impact of legislation is often overlooked At a jurisprudential level there is an unspoken view that legislation is generally piecemeal and at best self contained and specific at worst dependent on the whim of political views at a particular time With a different starting point this volume seeks to test such notions illustrating among other things the widespread and lasting influence of legislation on the shape and principles of the law of tort the variety of forms of legislation and the complex nature of political and policy concerns that may lie behind their enactment the sometimes unexpected consequences of statutory reform and the integration not only of statutory rules but also of legislative policy into the operation of tort law today The apparently sharp distinction between judicially created private law principles and democratically enacted legislative rules and policies is therefore questioned and it is argued that to describe the principles of the law of tort without referring to statute is potentially highly misleading This book shows that legislation is important not only because of the way it varies or replaces case law but because it also deeply influences the intrinsic character of that law providing some of its most familiar characteristics The book provides the first extended interpretation of legislative intervention in the law of tort Each of the chapters by leading tort scholars deals with an aspect of the influence of legislation on the law of tort While the nature sources and extent of legislative influence in personal injury law is an essential feature of the collection other significant areas of tort law are explored including tort in the context of commercial law labour law regulation and the welfare state Essays on the Compensation Act 2006 and Human Rights Act 1998 bring the current state of the interplay

between tort politics and legislation to the forefront In all of these contexts contributors explore the deeper lessons that can be learned about the nature of the law of tort and its changing role and functions over time Cited with approval in the Singapore Court of Appeal by VK Rajah JA in *See Toh Siew Kee vs Ho Ah Lam Ferrocement Pte Ltd and others* 2013 SGCA 29

The Duty of Care in Negligence James Plunkett, 2018-02-08 This book aims to provide a detailed analysis and overview of the duty of care enquiry drawing on both academic analyses and judicial experience in leading common law systems A new structure through which duty problems can be analysed is also proposed It is hoped that the book provides some fresh insights and clarity of the concept to the reader

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