
Index

Battery

- toxic substances, 131-149
 - actionable and non-actionable chemical exposures, 140-141
- case law, 138-140
- causation, 147-148
- elements of tort of battery, 132-134
- involuntary medical treatment and experimentation, 134-137
- limitations to liability, 141-147
 - defence of consent, 144-147
 - harmful and offensive contact, 142-144
 - pragmatic limitations, 141-142
- philosophy of battery, 134

Breach of duty – *see* Duty of care

Causation

- intervening acts – *see* Intervening acts

Duty of care

- breach of
 - judicial discretion, 125-128
- negligence
 - House of Lords decisions – *see* Negligence
- tests of
 - public policy (Singapore), 127-130
 - pure economic loss (Singapore), 5-7

Economic loss

- Pure – *see* Duty of care

Intervening acts

- suicide cases, 69-84
 - Australia, 74-77
 - Canada, 78-80
 - England, 69-74
 - New Zealand, 77-78
- novus actus interveniens, remoteness of
 - damage, and Wagon Mound, 82-83
- public policy and statutory decriminalisation
 - of suicide, 81-82
- United States, 80-81

Investigation

- negligent, 48-56
 - Canada, 50-55
 - Hill case, 48-49

Negligence – *see also* Duty of care

- blame culture, 65-68
 - deconstruction, 66-67
- breach of duty – *see* Duty of care
- community (concept), 85-94
 - Hart, 86-88
 - Hegel and Hayek, 90-92
 - morality, 88-89
 - negligence and, 89-90
- duty of care – *see* Duty of care
- House of Lords cases, 8-22
 - assumption of responsibility, 10-12
 - Caparo v Dickman test, 9-10
 - distributive justice, 16-17
 - fair, just and reasonable/ policy arguments, 17-21
 - policy, 13-16
 - proximity, 12-13
- investigation – *see* Investigation
- sport – *see* Negligence in sport

Negligence in sport

- personal injury liability, 95-119
 - extending tortious liability, 114-118
 - control devices, 116-117
 - fact-specific, 116
 - social utility, 117-118
- practice of sports participant liability, 109-114
 - measure of damage, 110-112
 - unlawful interference with economic relations, 114
 - vicarious liability, 112-114
- reasonable care or reckless disregard, 103-105
- “reasonable man”, 105-109
- torts generally, 96-101
 - sporting batteries, 97-99
 - sporting negligence, 99-101
- Wooldridge (“Sportsman’s Charter”), 101-103

Negligent investigation – *see* Investigation

Occupational stress – *see* **Work stress**

Personal injury

sexual assaults and abuse
 limitation period, 61-65
sport – *see* **Negligence in sport**

Sexual abuse

personal injury
 limitation period, 61-65

Sexual assault

personal injury
 limitation period, 61-65

Sporting participants

negligence – *see* **Negligence in sport**

State immunity – *see* **Torture**

Stress, work-related – *see* **Work stress**

Suicide – *see* **Intervening acts**

Torture

state immunity and civil remedies for victims
 (Canada), 150-167
 Bouzari v Iran, 156-159
 Convention Against Torture, Art 14, 161-163
 international law, 151-152

international prohibition on torture and
 victims' rights, 152-155
jus cogens norms, 163-165
United Nations Committee's criticism, 159-
 161
universal jurisdiction, 155-156

Toxic substances – *see* **Battery**

Vicarious liability

common law developments, 39-47
 Australia, 40-41
 Canada, 41-42
 comparing approaches, 43-44
 Ffrench case, 40
 reasons of Gray J, 44-46
 future, 47
 policy, 43
 United Kingdom, 42-43

Work stress

legal response to claims
 contract claims, 36-38
 tort claims, 25-36
 breach of duty, 27-31
 causation, 31-33
 damages, 34-36
 defences, 34
 duty of care, 25-27
 remoteness, 33-34