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Markesinis and Deakin's
TORT LAW

Seventh Edition



Simon Deakin, Angus Johnston,
and Basil Markesinis

Markesinis And Deakins Tort Law

**Mauro Bussani, Anthony James
Sebok, Marta Infantino**



Markesinis And Deakin's Tort Law:

Markesinis and Deakin's Tort Law Simon F. Deakin, Zoe Adams, Basil Markesinis, 2019 *Markesinis and Deakin's Tort Law* is an authoritative analytical and well established textbook now in its eighth edition The authors provide a variety of comparative and economic perspectives on the law of tort and its likely development placing the subject in its socio economic context giving students a deeper understanding of tort law

Markesinis and Deakin's Tort Law Simon Deakin, FBA, Angus Johnston, Basil Markesinis, 2012-10-18 Fully updated to cover developments including the Protection from Harassment Act 1997 the Human Rights Act Regina vs Ireland and Regina vs Burstow this book provides comprehensive commentary on tort law The authors provide a variety of comparative and economic perspectives upon the area **Tort Law** Simon F. Deakin, B. S. Markesinis, Angus Charles Johnston, 2003 *Markesinis and Deakin's Tort Law* Simon F. Deakin, Zoe Adams, 2019 **A Theory of Tort Liability** Allan Beever, 2016-08-25 This book provides a comprehensive theory of the

rights upon which tort law is based and the liability that flows from violating those rights Inspired by the account of private law contained in Immanuel Kant's *Metaphysics of Morals* the book shows that Kant's theory elucidates a conception of interpersonal wrongdoing that illuminates the operation of tort law The book then utilises this conception applying it to the various areas of tort law in order to develop an understanding of the particular areas in question and just as importantly their relationship to each other It argues that there are three general kinds of liability found in the law of tort liability for putting another or another's property to one's purposes directly liability for doing something to a third party that puts another or another's property to one's purposes and liability for pursuing purposes in a way that improperly interferes with the ability of another to pursue her legitimate purposes It terms these forms liability for direct control liability for indirect control and liability for injury respectively The result is a coherent philosophical understanding of the structure of tort liability as an entire system In developing its position the book considers the laws of Australia Canada England and Wales New Zealand and the United States

Tort Law: Text and Materials Mark Lunney, Ken Oliphant, 2013-08 The fifth edition of Lunney and Oliphant's market leading tort law text provides a complete authoritative guide to the subject The book combines clear overviews of the law with well chosen extracts from cases and materials supported by insightful commentary *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

Causation in European Tort Law Marta Infantino, Eleni Zervogianni, 2017-12-28 Through a comprehensive analysis of sixteen European legal systems based on an assessment of national answers to a factual questionnaire Causation in European Tort Law sheds light on the operative rules applied in each jurisdiction to factual and legal causation problems It highlights how legal systems features impact on the practical role that causation is called upon to

play as well as the arguments of professional lawyers Issues covered include the conditions under which a causal link can be established rules on contribution and apportionment the treatment of supervening alternative and uncertain causes the understanding of loss of a chance cases and the standard and the burden of proving causation This is a book for scholars students and legal professionals alike **Tort Law** Mark Lunney,Donal Nolan,Ken Oliphant,2017 The sixth edition of this market leading tort law text provides a complete authoritative guide to the subject It combines clear overviews of the law with extracts from cases and materials supported by insightful commentary *The Europeanisation of English Tort Law* Paula Giliker,2014-12-01 Tort law is often regarded as the clearest example of traditional common law reasoning Yet in the past 40 years the common law of England and Wales has been subject to European influences as a result of the introduction of the European Communities Act 1972 and more recently the implementation of the Human Rights Act 1998 in October 2000 EU Directives have led to changes to the law relating to product liability health and safety in the workplace and defamation while Francovich liability introduces a new tort imposing State liability for breach of EU law The 1998 Act has led to developments in privacy law and made the courts reconsider their approach to public authority liability and freedom of expression in defamation law This book explores how English tort law has changed as a result of Europeanisation broadly defined as the influence of European Union and European human rights law It also analyses how this influence has impacted on traditional common law reasoning Has Europeanisation led to changes to the common law legal tradition or has the latter proved more resistant to change than might have been expected The Principles of Personal Property Law Duncan Sheehan,2011-11-30 The law of personal property covers a very wide spectrum of scenarios and has had little detailed scrutiny of its overarching structure over the years This is a shame It is a system and can best be understood as a system Indeed without understanding it as a system it becomes much more difficult to understand This new textbook is intended to provide a comprehensive and yet detailed coverage of the law of personal property in England and Wales It includes transfer of legal title to chattels the nemo dat rule negotiable instruments and assignment of choses in action It also looks at defective transfers of property and the resulting proprietary claims including those contingent on tracing the tort of conversion bailment and security interests By bringing together areas often scattered throughout company law commercial law trusts and tort textbooks it enables readers to see common themes and issues and to make otherwise impossible generalisations across different contexts about the nature of the concepts English law applies Throughout the book concepts are explained rigorously with reference to how they are used in commercial practice and everyday life The book will be of use to students on undergraduate commercial law courses or related LLM courses as well as those on integrated property law courses and particularly specialised personal property modules It will also be useful to academics and practitioners working in the area *Hepple and Matthews' Tort Law* David Howarth,Martin Matthews,Jonathan Morgan,Janet O'Sullivan,Stelios Tofaris,2016-01-07 New to Hart Publishing this is the seventh edition of the classic casebook on tort the first of its kind in the

UK and for many years now a bestselling and very popular text for students This new edition retains all the features that have made it such a popular and respected text with extensive commentary questions and notes supplementing the selection of cases and statutes which form the core of the book Taking a broadly contextual approach the book addresses all the main topics in tort law is up to date doctrinally sound stimulating and highly readable Tort Law Defences James Goudkamp, 2013-07-31 The law of torts recognises many defences to liability While some of these defences have been explored in detail scant attention has been given to the theoretical foundations of defences generally In particular no serious attempt has been made to explain how defences relate to each other or to the torts to which they pertain The goal of this book is to reduce the size of this substantial gap in our understanding of tort law The principal way in which it attempts to do so is by developing a taxonomy of defences The book shows that much can be learned about a given defence from the way in which it is classified This book has been awarded Joint Second Prize for the 2014 Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship 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 **Torts, Egalitarianism and Distributive Justice** Tsachi

Keren-Paz,2018-12-20 This book argues from a normative perspective for the incorporation of an egalitarian sensitivity into tort law and more generally into private law It shows how an egalitarian sensitivity can reformulate tort doctrine with an emphasis on the tort of negligence Rather than a comprehensive descriptive account of existing tort law this book pro actively searches for new approaches and conceptual tools to meet the challenges faced by egalitarians The understanding of tort law offered in this book will bring about better practical results in specific cases It supports the progressive troops in the ongoing philosophical and social battles that take place in the field of tort law and also adds another voice rich nuanced and sensitive to the chorus that is tort theory Legal Origins and the Efficiency Dilemma Nuno Garoupa,Carlos Gómez

Ligüerre,Lela Mélon,2016-12-08 Economists advise that the law should seek efficiency More recently it has been suggested that common law systems are more conducive of economic growth than code based civil law systems This book argues that there is no theory to support such statements and provides evidence that rejects a one size fits all approach Both common law and civil law systems are reviewed to debunk the relationship between the efficiency of the common law hypothesis and the alleged inferiority of codified law systems Legal Origins and the Efficiency Dilemma has six aims explaining the efficiency hypothesis of the common law since Posner s 1973 book summarizing the legal origins theory in the context of economic growth debunking their relationship discussing the meaning of common law and the problems with the efficiency hypothesis by comparing laws across English speaking jurisdictions illustrating the shortcomings of the legal origins theory with a comparative law and economics analysis and concluding there is no theory and evidence to support the economic superiority of common law systems Based on previous pieces by the authors this book expands their work by including new areas of analysis such as trusts detailing previous analysis such as French law versus common law in the areas of contract property and torts and updating for recent developments in the academic discourse This volume is of interest to academics and students who study microeconomics comparative law and foundations of law as well as legal policy analysts **European**

Tort Law Cees van Dam,2013-03-22 The new edition of European Tort Law provides an extensive revision and update of the only English language handbook in this constantly evolving area The coverage in the new edition has been expanded with material on the latest developments in legislation legal literature and the case law of the European Court of Human Rights the Court of Justice of the European Union and the highest courts in France Germany and England The first part of the book Systems of Liability provides chapters on the state of tort law in France Germany and England and the European Union A concluding chapter gives an overall view of the European field linking the variety of rules with cultural diversity examining the consequences for European harmonization and emphasizing the importance of a European policy discourse The second part Requirements for Liability analyses and compares the classic requirements for liability in a comparative and supranational perspective rights and protected interests intention and negligence breach of statutory duty stricter rules of liability causation damage damages and contributory negligence It also discusses the role of tort law in protecting human

rights against violations by the state and by multinational corporations The final part Categories of Liability assesses how national and supranational rules are applied in a number of categories such as in liability for motor vehicles defective products and defective premises in liability for children employees and subsidiaries as well as in cases of nuisance environmental liability and liability of public bodies The Professional Salvor's Liability in the Law of Negligence and the Doctrine of Affirmative Damages Miso Mudric,2013 The research in this book examines the issue of professional salvor s liability for damage caused due to negligent performance of salvage services Analysis is focused on the relevant international law 1989 Salvage Convention 1976 LLMC Convention and the 1992 CLC Convention the professional liability provisions of the chosen number of jurisdictions England Wales Germany France and the US the standard salvage contract forms the standard of care the relevant salvage case law the sanctions for poor or non performance and the methods of calculating the limitation of liability Series Writings on Maritime and Port Law Schriften zum See und Hafenrecht Vol 20 **Medical Negligence: Non-Patient and Third Party Claims** Rachael Mulheron,2016-04-29 Healthcare professionals face an increasing threat of litigation from parties whom they have never met in their daily medical practice and who look nothing like the traditional patient The so called non patient may take many forms for example a person who is injured or killed by a mentally ill physically disabled or diseased patient a wrongfully accused parent in a child neglect abuse case or a local authority which is put to the expense of caring for a negligently treated patient This book explores the legal principles and conundrums which arise when determining a healthcare professional s liability in negligence towards a wide variety of non patients The topic is assuming increasing legal importance and relevance given the potential for many non patient claims to give rise to class actions litigation and in light of the legislative and human rights interventions and the frequent appellate judicial consideration which non patient claims have attracted in recent times The aim of the book is to have utility for both legal and medical professionals for academics and students of comparative medical negligence and tort law and for law reformers who may be interested in adopting certain features of statutory models elsewhere which pertain to some non patient claims such as those based upon Good Samaritan conduct Important parallels or counterpoints from other common law jurisdictions in which courts and commentators have grappled with the legal complexities of non patient claims are also discussed and critically analyzed *Unravelling Tort and Crime* Matthew Dyson,2014-07-17 Innovative and groundbreaking research on how tort and crime interrelate in English law

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