

Tort Law 2023

Revision for Summative MCQ

1- Introduction to Tort

- What is the purpose of liability in Tort
- What interest are protected by tort law?
- What is the burden of proof in tort?
- Explain the following liability:
 - o **Fault liability**
 - o **Strict liability**
 - o **Actionable per se**

2- Negligence

- What is the definition of negligence?
- What are the facts of *Donoghue v Stevenson*? what was the decision in this case? What is the 'neighbour principle' established by Lord Atkin in this case?
- What are the 3 elements to establish negligence?
- Do you need to prove damage or injury for a claim in negligence?

Duty of care

- What were the facts and decision in *Caparo Industries v Dickman*?
- When there is new or novel situation, what are the 3 requirements for establishing duty of care under *Caparo*?
- Why was the 'fair, just and reasonable' requirement introduced?

Omissions

- Under common law, is there a general duty to act?
- What are the exceptions when there is duty to act?
- What were the facts and decision in *Smith v Littlewoods Organisation* [1987]?
- What does a 'relationship of control' mean? Explain with reference to *Home Office v Dorset Yacht Club* [1970].

Breach

- What is the test for establishing breach?
- Explain the *Bolam v Friern Hospital Management Committee* [1957] test.
- What is the standard of care expected of children and skilled workers?
- What is the standard of care expected of a new doctor or a new driver?

Causation

- What is meant by the 'chain of causation'?
- Which case established the 'but for' test? Explain this test.
- What is old test and the new test for 'causation in law'?
- What does the 'thin skull rule' mean? explain how it applies.

Mcq On Law Of Negligence

R. N. Karmakar



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Forensic Medicine And Toxicology (oral, Practical & Mcq) R. N. Karmakar, **Cases Argued and Decided in the Supreme Court of the United States**, 1920 Cases Argued and Decided in the Supreme Court of the United States United States. Supreme Court, 1901 First series books 1 43 includes Notes on U S reports by Walter Malins Rose *Cases Argued and Decided in the Supreme Court of the United States and Others* United States. Supreme Court, 1926 Complete with headnotes summaries of decisions statements of cases points and authorities of counsel annotations tables and parallel references **Reports of Cases Argued and Decided in the Supreme Court of the United States** United States. Supreme Court, 1901 Complete with headnotes summaries of decisions statements of cases points and authorities of counsel annotations tables and parallel references United States Supreme Court Reports United States. Supreme Court, 1911 First series books 1 43 includes Notes on U S reports by Walter Malins Rose Weekly Notes of Cases Argued and Determined in the Supreme Court of Pennsylvania, the County Courts of Philadelphia, and the United States District and Circuit Courts for the Eastern District of Pennsylvania, 1883 The English Reports: King's Bench (1378-1865), 1911

LEGAL ISSUES IN MEDICAL PRACTICE Mahesh Baldwa MBBS, MD, DCH, FIAP, LLB, LLM, PhD (Law), Varsha Baldwa MBBS, MD, Namita Padvi MBBS, MD, DNB, Sushila Baldwa MBBS, MD, 2020-03-30 Legal issues in medical practice have been gripping medical doctors by surprise in recent years Some decades ago legal issues in medical practice never created any problem A greater awareness is being created by adding doctor s services within the ambit of Consumer Protection Act 1986 Neither during the undergraduate training nor the postgraduate courses doctors have ever prepared themselves to deal with real world situations of litigation related to allegations of negligence While facing litigation related to allegation of negligence in law courts for the first time a doctor realizes the importance of medical records consent and expert witness and searches for help books There are many books available for reference but this one is a handbook for practising doctors and their lawyers grappled with legal issues culminating in litigations covering a vast number of medical specialties and systems This book proposes to fill the existing vacuum by creating authentic base required to understand the legal issues in medical practice in India The esteemed contributors have put in their best efforts to share their knowledge experience and wisdom with the readers by discussing various landmark legal decisions in the field of alleged medical negligence It aims to make the medical practice safe ethical reassuring and hassle free by discussing various legal issues related to medical practice

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