

Fundamentals of Anglo- American and Polish Legal Systems – Law of Torts

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Law of Negligence



- Defendant owed plaintiff a legal duty of care.
- Breach of duty.
- Damage was suffered.
- Causation between breach and damage

Law of Negligence

- Neighbour rule : *[any person closely affected by your conduct, and whom you should reasonably foresee might be injured by you]*
- Donoghue v. Stevenson (1932)



Law of Negligence

- Donoghue v. Stevenson (1932)

/snail in a bottle/



Mr Stevenson (manufacturer) Restaurant manager Customer Ms Donoghue



Duty of care in Negligence

- Hedley Byrne v. Heller and Partners (1963)



*/careless bank reference
on client's credit/*

Duty of care in Negligence

- Rondel v. Worsley (1969)



- ~~Rondel v. Worsley (1969)~~



*/public policy reasons;
lawyer not liable*

-> Overruled in 2000