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Proof of Causation in Tort Law (Cambridge Studies in International and Comparative Law)

Sandy Steel

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Causation is a foundational concept in tort law: in claims for compensation, a claimant must demonstrate that the defendant was a cause of the injury suffered in order for compensation to be awarded. Proof of Causation in Tort Law provides a critical, comparative and theoretical analysis of the general proof rules of causation underlying the tort laws of England, Germany and France, as well as the exceptional departures from these rules which each system has made. Exploring the different approaches to uncertainty over causation in tort law, Sandy Steel defends the justifiability of some of these exceptions, and categorises and examines the kinds of exceptional rules suggested by the case law and literature. Critically engaged with both the theoretical literature and current legal doctrine, this book will be of interest to private law scholars, judges and legal practitioners.

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