

Business starts to show how Wall Street

References

- To succeed in an action for battery the Plaintiff must prove on balance of probabilities that:
 - D caused some form of "physical interference" with his/her person.
 - The interference was direct;
 - The act was intentional or negligent; and
 - There was no "consent" of lawful justification for such conduct.
 - i) Direct application of physical force
 - Any unwanted contact, no matter how trivial is battery: *Collins v Wilcock*
 - Need not be hostile or done in anger: *Coll v Turner*
 - Not limited to bodily contact: *Stubbell v Sheford*
 - Interference followed so closely by D's act that it could be considered part of the act (can be an unbroken series of consequences): *Scott v Shepherd*
 - *Scott v Shepherd*: D threw lighted gun powder squibs at market, in a series of throwing by others to avoid injury it hit P in the face and took out his eye. Held: injury was direct result of D's actions. D was liable in battery
 - Act of D must be active and not passive (e.g. blocking a door entirely passively or like a wall would not constitute battery): *Irwin v Hyde*
 - ii) Fault
 - There is no liability unless the act is done intentionally or negligently: *Coll v Turner*
 - D must bring about the action consciously which result in battery: *McNagown v Dawson*; In this case court held that P did not consent to blow struck by D when he had let go off the ball in AFL match
 - Knowledge of contact is not essential: *Murray v Ministry*
 - *Rixon v Star City Casino*: D placed hand on P shoulder to get his attention = no battery
 - iii) Consent
 - If P has consented to the act, then there is no battery: *McDonald v McMahon*
 - But consent must be given freely and without fraud or duress: *R v Williams*
 - Sports have implied consent unless it is outside the rules of the game: *McNagown v Dawson*
 - Conduct part of everyday life is no battery: *Collins v Wilcock*
 - In medical emergency, it is permissible to give medical treatment without consent, "subject to knowledge of any refusal by patient": *Reper v Whistler*
 - In case of incompetent persons, guardian can give consent: *Consolidation v Administration Act 2000 (Vic)*
- CO NEEDED NEXT PAGE

Good Structure Torts Answer

Terry C. Jones



Good Structure Torts Answer:

Whispering the Strategies of Language: An Psychological Quest through **Good Structure Torts Answer**

In a digitally-driven earth wherever displays reign great and instant communication drowns out the subtleties of language, the profound techniques and emotional subtleties concealed within phrases frequently move unheard. However, nestled within the pages of **Good Structure Torts Answer** a fascinating fictional treasure sporting with fresh feelings, lies an exceptional quest waiting to be undertaken. Composed by a talented wordsmith, that enchanting opus attracts visitors on an introspective trip, softly unraveling the veiled truths and profound impact resonating within the material of each word. Within the psychological depths of this touching evaluation, we shall embark upon a honest exploration of the book is primary subjects, dissect their charming publishing style, and yield to the effective resonance it evokes serious within the recesses of readers hearts.

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