

1. Record Nr.	UNINA9910459418703321
Autore	Giliker Paula
Titolo	Vicarious liability in tort : a comparative perspective // Paula Giliker [[electronic resource]]
Pubbl/distr/stampa	Cambridge : , : Cambridge University Press, , 2010
ISBN	0-511-85115-4 1-107-21706-7 1-282-91835-4 9786612918353 0-511-90899-7 0-511-90825-3 0-511-90976-4 0-511-90696-X 0-511-77900-3 0-511-90568-8
Descrizione fisica	1 online resource (xliii, 280 pages) : digital, PDF file(s)
Collana	Cambridge studies in international and comparative law ; ; 69
Disciplina	346.03
Soggetti	Respondeat superior Third parties (Law)
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Title from publisher's bibliographic system (viewed on 05 Oct 2015).
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	What is vicarious liability? -- Establishing a general framework for liability -- The employer/employee relationship : identifying the contract of employment -- Special difficulties : borrowed employees and temporary workers -- Other relationships giving rise to liability -- Acting in the course of one's employment/functions/assigned tasks : determining the scope of vicarious liability -- Parental liability for the torts of their children : a new form of vicarious liability? -- Understanding vicarious liability : reconciling policy and principle -- A postscript : a harmonised European law of vicarious liability?
Sommario/riassunto	Vicarious liability is controversial: a principle of strict liability in an area dominated by fault-based liability. By making an innocent party pay compensation for the torts of another, it can also appear unjust. Yet it

is a principle found in all Western legal systems, be they civil law or common law. Despite uncertainty as to its justifications, it is accepted as necessary. In our modern global economy, we are unlikely to understand its meaning and rationale through study of one legal system alone. Using her considerable experience as a comparative tort lawyer, Paula Giliker examines the principle of vicarious liability (or, to a civil lawyer, liability for the acts of others) in England and Wales, Australia, Canada, France and Germany, and with reference to legal systems in countries such as the United States, New Zealand and Spain.
