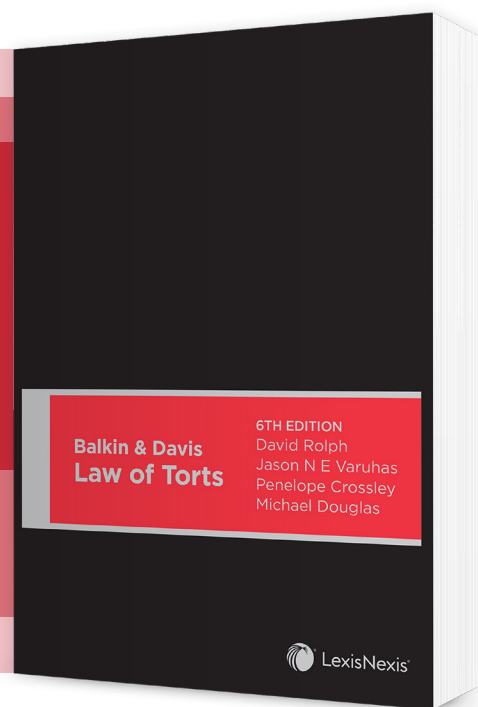


# Balkin & Davis Law of Torts

6th edition

David Rolph • Jason N E Varuhas •  
Penelope Crossley • Michael Douglas

Clear, comprehensive and authoritative  
discussion of Australian tort law



*Balkin & Davis Law of Torts* provides clear, comprehensive and authoritative discussion and critical analysis of common law and statutory torts across all Australian jurisdictions. The text covers the civil wrongs protecting intentional injury to person and property; the tort of negligence, with respect both to personal and property damage and for the recovery of purely economic loss; those torts, such as nuisance, in which neither intention nor negligence is necessarily relevant; defamation; and the economic torts which protect the intentional infringement of another's trade or business.

The sixth edition has been extensively updated to cover new developments in case law and legislation, including: significant changes in vicarious liability, particularly institutional abuse and labour hire arrangements; defamation law reforms; new cases on duty of care and causation in negligence; important decisions on judging breach in professional negligence claims; and changes to social security and statutory compensation regimes. Chapters on general principles of trespass, wrongful interference with the person, and breach of duty have been substantially revised, and the chapter on nuisance now includes a discussion of application of the tort to new technologies. Recent cases discussed include:

- *Attwells v Jackson Lalic Lawyers Pty Ltd* (2016)
- *Brookfield Multiplex Ltd v Owners Corp Strata Plan 61288* (2014)
- *Deal v Kodakkathanath* (2016)
- *Hunter Health District v McKenna* (2014)
- *Marsh v Baxter* (2015)
- *Prince Alfred College Incorporated v ADC* (2016)
- *State of New South Wales v Ouhammi* (2019)
- *White v Johnston* (2015)
- *Wallace v Kam* (2013)

## Features

- Authoritative and comprehensive analysis of tort law in Australia
- Clear, accessible style identifies and explains complex legal concepts
- Identifies tort law legislation and its interpretation across all Australian jurisdictions

## About the Authors

**David Rolph** is Professor of Law at The University of Sydney.  
**Jason Varuhas** is Professor of Law at The University of Melbourne.  
**Penelope Crossley** is Associate Professor at The University of Sydney.  
**Michael Douglas** is Senior Lecturer at The University of Western Australia.

## Table of Contents

### Part I - Introduction

Ch 1 General Observations

### Part II - Wrongful Interference with Basic Interests

- Ch 2 General Principles of the Law of Trespass
- Ch 3 Trespass to the Person
- Ch 4 Goods
- Ch 5 Land
- Ch 6 Defences

### Part III - Negligent Invasions of Personal, Property and Financial Interests

- Ch 7 Duty of Care
- Ch 8 Breach of Duty
- Ch 9 Causation and Remoteness of Damage
- Ch 10 Defences to Negligence
- Ch 11 Compensation in Personal Injury Actions
- Ch 12 Alternative Sources of Compensation for Personal Injuries
- Ch 13 The Negligent Infliction of Purely Economic Loss

### Part IV - Invasion of Personal and Property Interests by Conduct not Necessarily Intentional or Negligent

- Ch 14 Nuisance
- Ch 15 Animals
- Ch 16 Violation of Interests Protected by Statute

### Part V - Protection of Interests in Reputation

- Ch 17 Defamation: Introduction
- Ch 18 Elements of Defamation
- Ch 19 Defamation: Defences and Remedies

### Part VI - Protection of Trading or Business Interests

- Ch 20 The Economic Torts in General
- Ch 21 Intentional and Unjustifiable Interference with Trade or Business
- Ch 22 Statutory Protection Against Unfair Business Practices
- Ch 23 Injurious Falsehood, Passing Off and Deceit

### Part VII - Other Interests Meriting Protection

- Ch 24 Family Relations
- Ch 25 Misuse of Process

### Part VIII - Remedies and Parties

- Ch 26 Vicarious Liability
- Ch 27 Remedies
- Ch 28 Extinction of Remedies
- Ch 29 Parties

**Publication Date:** July 2021

**ISBN:** 9780409349061 (Softcover)

**Softcover RRP \* incl. GST:** \$172.00

**ISBN:** 9780409349078 (Hardcover)

**Hardcover RRP \* incl. GST:** \$245.00

**ISBN:** 9780409349085 (ebook)

**eBook RRP \* incl. GST:** \$172.00

\*Prices include GST and are subject to change without notice. Image displayed is only a representation of the product, actual product may vary.

# Order Form

## PERSONAL DETAILS

Name \_\_\_\_\_  
Job Title \_\_\_\_\_  
Company Name \_\_\_\_\_  
Street Address \_\_\_\_\_  
Email \_\_\_\_\_  
Telephone \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_  
(All orders must be signed for processing)

Attach EFTPOS receipt -  
Merchant copy

### Order Type (please tick appropriate box)

- Book Taken (issue tax invoice)  
 Send Book and issue tax invoice  
 Pre-order (contact via phone for payment)

## ORDER DETAILS

Title	ISBN	Quantity	Price
Promotional Code:		Discount Amount	
		Total (including discount amount)	

### I would like to pay using (please tick appropriate box)

- My LexisNexis® Account No.:  
 Personal/Company cheque enclosed (payable to LexisNexis)  
 EFTPOS     Visa     Mastercard     AMEX

**4 Ways to Order**

**Phone**  
1800 772 772

**Email**  
orders@lexisnexis.com.au

**Post**  
Reply paid 61280

**Visit**  
[store.lexisnexis.com.au](http://store.lexisnexis.com.au)

### TERMS AND CONDITIONS

\*All prices are in AUD, include GST and are current as of **01/05/2021**. Prices are subject to change and all orders remain valid until cancelled in writing.  
\*Postage and handling may incur an extra charge. Additional terms apply and are available at <http://www.lexisnexis.com.au/pdf/terms-of-trade.pdf>.

### PRIVACY NOTICE

LexisNexis is committed to maintaining your privacy, and we want you to understand how we use and manage your data. In order to improve our services and provide better content, LexisNexis may keep track of patterns of use in the e-mails and e-mail newsletters we send. We note which links are clicked in our email communications as specific user profile information to tell us what areas are most interest to our recipients. In most cases, this information will be used in aggregate form, but sometimes personally identifiable information will be shared within LexisNexis's global organisation for the limited purposes described above. Please review our privacy statement for additional information. By supplying LexisNexis your information, you have given us permission to communicate to you via mail, e-mail, SMS, MMS and telephone to inform you about our services we deliver relevant to your industry indefinitely. If you wish to obtain a copy of our data privacy policy, access the personal information we hold about you or personal information is inaccurate, incomplete or outdated, please contact our Privacy Officer at LexisNexis Australia or email [privacy@lexisnexis.com.au](mailto:privacy@lexisnexis.com.au) and we will provide you with a copy of our data privacy policy, take reasonable steps to provide you with access to your personal information or correct the information. If you do not wish to receive such communications as outlined above, please contact us at [privacy@lexisnexis.com.au](mailto:privacy@lexisnexis.com.au) to unsubscribe.

- Tick this box if you do not wish to receive information about our other products, services, offers, or events.

