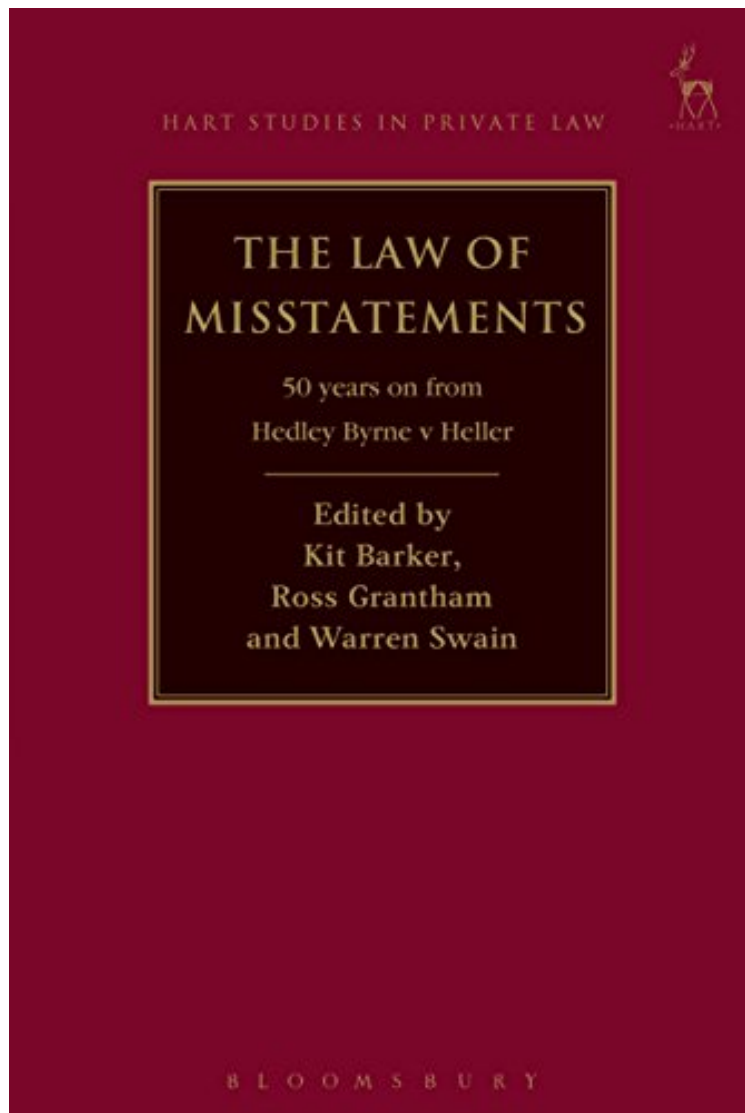


(Download free ebook) Law of Misstatements: 50 Years on from Hedley Byrne v Heller (Hart Studies in Private Law)

Law of Misstatements: 50 Years on from Hedley Byrne v Heller (Hart Studies in Private Law)

Von Kit Barker, Ross Grantham, Warren Swain
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Von Kit Barker, Ross Grantham, Warren Swain : Law of Misstatements: 50 Years on from Hedley Byrne v Heller (Hart Studies in Private Law) before purchasing it in order to gage whether or not it would be worth my time, and all praised Law of Misstatements: 50 Years on from Hedley Byrne v Heller (Hart Studies in Private Law):

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COMPENSATION CULTURE? READ THIS
ON Phillip Taylor MBE
CRITICAL EXAMINATION OF A WELL-KNOWN AND PIVOTAL CASE
An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers
Having noted the subtitle of this book, you know, if you're a lawyer what it's about. As co-author Kit Barker explains, there are few twentieth century tort cases as well known, or as often cited in commonwealth jurisdictions as *Hedley Byrne Co Ltd v Heller Partners Ltd.* adding that it has been construed as a case about liability for careless words. Apart from *Donoghue and Stevenson* there are few tort cases in the twentieth century that are as well known. A House of Lords landmark decision, the case has certainly excited comment and controversy, no less so now, in its fiftieth anniversary year. Recently launched by Hart Publishing, this book both commemorates and celebrates that decision as well as offering up a rich variety of commentary on it from no less than fourteen contributors mainly from universities in Australia and New Zealand as well as the United Kingdom, but representing five of the most important jurisdictions in which the case applies, namely the United Kingdom, the United States, New Zealand, Canada and Australia. The law of misstatements in each of the five jurisdictions is examined in depth and from various perspectives with the focus on its meaning, its influence and its basic concepts; for example, voluntary assumptions of responsibility and reliance. To say that *Hedley Byrne* has generated massive repercussions as well as comment over the past fifty years is the understatement of this century as well as the last. For example, having elevated the importance of the concept of duty of care (no bad thing, actually) it has variously been identified rightly or wrongly, as the root cause of the compensation culture. As this fifty year old case continues to influence and impact upon modern law, private law in particular, this book provides a cross-section of contemporary viewpoints and therefore a fulcrum for contemporary discussion on the incredibly wide variety of issues emanating from liabilities for misstatement. Researchers will of course, appreciate the wealth of references contained in the extensive footnoting and also in the twenty-five or so pages of tables of cases and of legislation from the relevant jurisdictions. Also note that the Appendix contains the transcript of the judgment of *McNair J.* dated 20th December 1960, which makes this book particularly handy for private lawyers. If you need reminding of the details of the case, this section ideally, should be read first. The publication date is cited as at January 2015.

Kurzbeschreibung
2013 was the 50th anniversary of the House of Lords' landmark decision in *Hedley Byrne v Heller*. This international collection of essays brings together leading experts from five of the most important jurisdictions in which the case has been received (the United Kingdom, the United States, New Zealand, Canada and Australia) to reappraise its implications from a number of complementary perspectives-historical, theoretical, conceptual, doctrinal and comparative. It explores modern developments in the law of misstatement in each of the jurisdictions; examines the case's profound effects on the conceptual apparatus of the law of negligence more generally; explores the intersections between misstatement liabilities in contract, tort, equity and under statutory consumer protection provisions; and critically assesses the ways in which advisor liabilities have come to be limited and distributed under systems of 'joint and several' and 'proportionate' liability respectively. Inspired by *Hedley Byrne*, the purpose of the collection is to reflect on the case's echoes, effects and analogues throughout the private law and to provide a platform for thinking about the ways in which liabilities for misstatement and pure economic loss should be modelled in the modern day.
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Characterised by a comparative approach, *The Law of Misstatements* will be relevant to any lawyer interested in these fundamental issues of private law, even outside of the common law jurisdictions. (Translated from original French) -- ED * *Revue trimestrelle de droit civil* * What is most exciting about this volume is its demonstration of the broader debate on tort; in deconstructing one small element of tortious liability on the fringes of our accepted bounds of liability, it has rehearsed with new clarity the unrest and instability at the heart of tort jurisprudence. -- Nicholas Hoggard * *Journal of Professional Negligence* * All the essays are of the highest quality, and the book is to be warmly recommended to all readers interested in *Hedley Byrne v Heller* and its implications, or in private law more generally. -- Stephen Waddams, University of Toronto * *Journal of Contract Law* *
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