

Free punitive damages essay example

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Punitive damages are envisioned to daunt or reform the defendant. The punitive damages may be used to compensate the plaintiff and push the defendant. The main objective of punitive damages is to dissuade others from engaging in similar conduct, as well as punish the defendant. Punitive damages are also available for a breach of contract. A contract binds parties to the terms and conditions of the agreement. The issue of punitive damage in a contract arises in the sense that if one party breaches the contract agreement, then the other party may suffer losses or be injured (McKendrick, 2014). Punitive damages can be awarded if one of the parties breaches the agreement. The punitive damages are meant to discourage individuals from breaching the contract. In addition, the party that suffered due to breach of contract is compensated for losses. The law provides various remedies to the breach of contract. These remedies include contract modification, contract rescission, damages, as well as specific performance.

Punitive damages are awarded in a breach of the contract in order to punish the party. The party is also deterred from committing other breaches in the future. Notably, punitive damages are not awarded in various contract cases, but the relevance is on cases of torts or fraud, which overlap with the law of contract (McKendrick, 2014). The court to some extent may intend to pass a strong message to the community that breach of contract will always be punished. The case of punitive damages in contract law is very complex. Parties can stipulate punitive damages in case of a breach of contract. In most cases, punitive damages in contract are stipulated if the breaches occurred in bad faith. In addition, there are occasions where a weaker party may be disadvantaged due to breach of the agreement. In the general

perspective, various justifications are raised in the legal systems concerning punitive damages in breach of the agreement.

Reference

McKendrick, E. (2014). Contract law: Text, cases, and materials. United Kingdom: Oxford University Press