

# Tort law

Business



Tort law deals with minor offences that are experiences in the society on day to day basis.

These are offences that occur without wrong intentions. A boy who kicks a ball in a neighborhood may not have intended to break a glass panel. Such a case falls under the civil dimension. The offender may not have intended to do a wrong. He is actually innocent by all means.

Such a person could equally brand himself the tag ‘ victim’ when subjected to pay some compensation. At the same time, the offended person will also feel that his rights have been ignored. Such cases are best solved out of court between the affected parties. However, the lawyers of the affected people can sometimes be involved in such cases but out of court. Such a case still falls under tort.

3) When it is fair to make someone who harms another pay them compensation, and what is intention, negligence and strict liability in the context of tort law? A person should pay for the losses incurred if their faults cause others to suffer. The word fault is used categorically to mean an error. At this point, it should be noted that the errors have not yet been classified into either intentional or negligent. A person deserves to get compensation if his/her life or property has been destroyed. In such cases, the compensations should come whether the offence was done intentionally or as a case of negligence. This law works in two dimensions.

One, it ensures that the offended person gets justice through the restoration of his peace. He may not get total and equal measure of the items lost. Such unequal compensation can be evident when a person lost his or her life. It is

true that no amount of money can be compensated for a person's life.

Intention as per the tort law refers to the act of doing evil or an offence with full awareness.

An intended wrong must have been planned before the actual implementation. In such a case, a person knows pretty well that his or her actions are wrong but continues to do the same. Research shows that offences carried out with full intentions always have justifications. The mob justice is a very good example. People can kill or harm a thief for the very reason that he/she has stolen. The killers are actually justified for their wrong.

On the other hand, negligence is an act of offence carried out as a result of laziness or of failure to follow the coded conduct that one is fully aware of. A doctor, for example, knows very well the implications of going around his/her duties without proper hand gloves. One doctor, however, goes about without gloves. Such a doctor can contract illnesses as a result of this negligence. A doctor who fails to treat a patient with the right drugs can be categorized as negligent. Such offences should be paid for.

Such payments are meant to increase the levels of attentiveness and responsibility. Strict liability entails delivery of compensation to the plaintiffs. The offender has no room to defend themselves. In such a case, people have no option but to compensate the victims. A person keeping dangerous animals will be charged to be liable for any attacks carried by his/her animals against the citizens.

In such a case, it really does not matter whether the defendant had no fault. He has to take the full responsibility of the harm inflicted on the victim by his animals. 4) What interest does tort law protect? The tort law protects both personal and economic interests. In regard to economic security, the deaths caused by tort that bring economic suffering to a dependant(s) are to be compensated. In many legal systems, if someone who is a breadwinner in the family is killed out of negligence, then only the close relatives have the legal right to seek support.

In this case close relatives may include the spouse, under age children and parents of the deceased. The law maintains the dependants who seek support for the loss of a breadwinner. The dependants must support the family or relatives of the deceased in accordance to the law. The tort law believes that the dependants have been deprived of their support by the death of the breadwinner and they need to sue the killers. In other countries, the provision of the tort law differs slightly in that anyone who can prove that they were actually receiving support from the deceased is liable to be compensated for the loss of that person.

Another interest that the tort law protects is emotional security. Other countries do not agree that bereavements should be compensated since it is impossible to measure the extent of the distress caused. Other countries allow partial compensation for distress caused by the demise of a breadwinner. Yet, other confine the compensation to the immediate relative; the wife, children, and parents. Other countries also allow friends of the deceased to claim compensation. This is very risky since some friends can take advantage of the provision to further their personal interest.

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However, protecting emotional security is very hard since the extent of distress cannot be quantified. I tend to think protection should only be confined to an economic loss. Emotional distress is a personal burden. Only consolation can help to cope with the loss and not monetary compensation. As a matter of fact, no amount of money can heal the emotional distress that one undergoes in losing a beloved or close one.