This chapter examines the two separate but closely linked concepts of liability for omissions and for the actions of third parties. The first section considers when and why the courts have established that a duty of care should be owed by defendants when the harm was the result of their omission, and the second explores the situations when a defendant may owe a duty in relation to the action(s) of a third party. Ordinarily you can be liable only for things that you do, but when someone does not do something that they ought to have done a duty might be found. Similarly, while it appears odd that someone may be liable for harms that someone else caused, the courts have nonetheless found that in limited circumstances people who have responsibility for, or control over, others may incur a duty in respect of the harms caused by these third parties.
4. Special duty problems: omissions and acts of third parties

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can't find the answer there, please contact us.