Once it has been established that there is a sufficient relationship between the parties to establish a duty, the question then arises whether the defendant has been in breach of this duty. This involves a number of issues, many of which involve the judgment of the ‘reasonable man’. The defendant’s behaviour must have fallen below the level of the standard of care owed, which defines the level of safety a claimant is entitled to expect. The ‘reasonable man’ may give the impression of certainty where there is none, for whether it is reasonable to take a certain risk involves questions of economic and social policy which are rarely expressed in the law reports.
7. Breach of duty: the standard of care

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