Chapter: (p. 137) 12. Nuisance and *Rylands v Fletcher*

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**Abstract**

This chapter discusses the law of nuisance. ‘Nuisance’ relates to three very different actions: private nuisance, public nuisance, and statutory nuisance. All three are land-related torts, occurring indirectly, and often concern neighbour disputes and environmental wrongs. Unlike negligence, in nuisance the law is concerned less with the nature of the defendant’s conduct than with its effect upon the claimant. Private nuisance must have an element of continuation and damages will not be recoverable for physical injury. The case of *Rylands v Fletcher* (1868) established a new tort which provided for strict liability of defendants in certain nuisance-related situations.
12. Nuisance and Rylands v Fletcher

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