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This chapter discusses the law on psychiatric injury. Psychiatric injury which is not derived from physical injury is a type of damage which is not always recoverable in negligence. It is an aspect of duty of care. The range of allowable actions has evolved through developments of control mechanisms in the common law, often policy based. The legal distinction between the primary and secondary victim is explored, as are more atypical situations. The four key cases are McLoughlin v O’Brian (1983), Alcock v Chief Constable of South Yorkshire Police (1991), Page v Smith (1995), and White v Chief Constable of the South Yorkshire Police (1999).
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