

Overview

Preface — **V**

Abbreviations — **XXV**

Questionnaire — **3**

I. Introduction — **3**

II. Questionnaire — **3**

A. Introduction — 15

1. General Overview — **17**

B. The Nature of the Misconduct Required — 107

2. Forms of Misconduct — **109**

C. The Required Standard of Conduct — 201

3. Criteria for Assessment — **203**

3a. The Criteria and Their Interplay — **203**

3b. The Nature and Value of the Protected Interest Involved — **272**

3c. The Dangerousness of the Activity in Question — **341**

3d. The Foreseeability of the Damage — **406**

3e. A Relationship of Proximity or Special Reliance Between Those Involved — **482**

3f. The Availability and the Costs of Precautionary or Alternative Methods — **552**

3g. Other Relevant Factors — **620**

4. The Relevance of Statutory Norms — **634**

5. The Relevance of Non-Statutory Norms — **700**

D. An Objective or Subjective Standard? — 761

6. Special Skill or Expertise — **763**

7. Inexperience or Lack of Skill — **830**

8. Age — **872**

9. Physical Disability — **946**

- 10. Mental Disability — **971**
- 11. Incapacity due to Drugs or Alcohol — **1021**
- 12. Incapacity due to Other Transient Factors — **1062**

E. Degrees of Misconduct — 1083

- 13. Degrees of Misconduct — **1085**

F. Grounds of Justification — 1161

- 14. Self-Defence and Other Grounds of Justification — **1163**
- 15. Self-Defence against Non-Misconduct — **1231**

G. Other Issues — 1249

- 16. Additional Questions — **1251**

Contributors — **1261**

Publications — **1267**

Index — **1279**