



Quiz

Causation

1. What must be proved by a plaintiff in order to establish negligence under the *Civil Liability Act 2002* (NSW)?
 - a. Defendant owed a duty of care
 - b. Defendant breached the duty of care
 - c. Defendant caused the damage alleged
 - d. All of the above
2. Which element of negligence did the NSW Court of Appeal find Strong could not prove?
 - a. Duty of care
 - b. Breach
 - c. Causation
 - d. None of the above
3. What did the High Court hold in *Strong v Woolworths* (2012) 246 CLR 182?
 - a. The High Court held that a causal link was established between the lack of adequate cleaning systems and the injury suffered by the appellant
 - b. The High Court held that causation was not able to be established as the deposit of the chip which caused the accident was a hazard which was more likely to occur at lunch time.
 - c. The High Court held in favour of the respondent
 - d. Both a. and c.

4. What section of the *Evidence Act 1995* (NSW) describes the standard of proof in civil proceedings?
 - a. Section 40
 - b. Section 120
 - c. Section 135
 - d. Section 140

5. Why was the case *Strong v Woolworths* (2012) 246 CLR 182 particularly significant?
 - a. The case illustrated the importance of probabilistic reasoning
 - b. The case provided further clarification about the determination of causation under s 5D of the *Civil Liability Act 2002* (NSW)
 - c. a. and b.
 - d. The case demonstrated that a chip is more likely to fall at lunch time rather than earlier in the day

Answers:

1. d 2. c 3. a 4. d 5. c