



Money Awards in Contract Law (Hart Studies in Private Law)

David Winterton

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The quantification of money awards for breach of contract is a topic of both significant theoretical interest and immense practical importance. In the UK, recent debates have ranged from the availability of gain-based awards to the theoretical basis for principles of remoteness and mitigation. While these and other important issues - such as the recovery of compensation for non-pecuniary loss - are touched upon in this book, the principal objective is to challenge the orthodox understanding of the expectation principle, as famously laid down by Parke B in England's historic *Robinson v Harman*. According to this understanding, the usual objective of money awards for breach of contract is to compensate for 'loss' suffered, by reference to the position that the innocent party would have occupied had the contract been performed. After challenging this orthodoxy, the book proposes a new account of the money awards provided, in response to breach of contract which draws an important distinction between substitutionary and compensatory awards. The book provides a coherent picture of contractual rights and remedies and will be of interest to judges, practitioners, and academics alike. (Series: Hart Studies in Private Law) [Subject: Contract Law, English Law]

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