

## **Chester v Waverley Municipal Council [1939] HCA 25**

<http://lawcasesummarries.com/knowledge-base/chester-v-waverley-municipal-council-1939-hca-25/>

### **Facts**

- The council dug a trench which Chester's son fell into and died
- Chester searched for hours for her son and upon seeing the body, Chester suffered severe nervous shock

### **Issue**

- Could the council be held responsible in negligence for the nervous shock suffered?

### **Held**

- No, because the council owed a duty of care to the child but not to the mother; the risk was too remote

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Law case summary from [www.lawcasesummarries.com](http://www.lawcasesummarries.com)