

Jaensch v Coffey [1984] HCA 52

<http://lawcasesummaries.com/knowledge-base/jaensch-v-coffey-1984-hca-52/>

Facts

- Coffey's husband was seriously injured by the negligent driving of Jaensch
- After seeing her husband in hospital and being told he probably wouldn't make it, Coffey suffered a nervous shock

Issue

- Could she recover?

Held

- It was more than reasonable foreseeability, proximity was also relevant. Coffey satisfied this test
- The doctrine was extended beyond those who actually see the event, to those who perceive its direct aftermath
- It is necessary to actually perceive the aftermath, not just learn about it (to avoid a 'shoot the messenger' scenario)

Law case summary from www.lawcasesummaries.com