

# Harding v Wealands – the Final Word on Assessment of Damages under English Law?

Yet another casenote on [Harding v Wealands \(2006\)](#) has been published, this time in the new issue of the *Civil Justice Quarterly*, written by Hakeem Seriki (C.J.Q. 2007, 26(Jan), 28-36). Here's the abstract:

*Examines English and Australian case law on the classification of issues as either substantive or procedural in the context of a conflict of laws. Comments on the first instance, Court of Appeal, and House of Lords decisions in Harding v Wealands on whether the assessment of damages in respect of a car accident in Australia was a "question of procedure" within the meaning of the [Private International Law \(Miscellaneous Provisions\) Act 1995 s.14\(3\)\(b\)](#) so that the law of the forum, rather than the law of New South Wales, applied.*

The [Civil Justice Quarterly](#), to my knowledge, isn't accessible online, so you'll have to get your hands on a copy of the Journal itself to read the article.