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A Tortious Remedies Compensation Injunctive Relief and the Pursuit of Justice

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ABSTRACT

This research examines tortuous remedies, covering compensation, injunctive relief, and justice pursuit. Courts currently treat compensation and injunctive relief as two separate legal tools. This separation often produces inconsistent outcomes across many similar tort cases nationwide. This research also proposes combining both remedies to address complete harm effectively. It also proposes matching remedy severity closely to actual harm severity for fairness. Using qualitative and doctrinal analysis, this research examines statutes, regulations, and scholarly literature. Findings show judicial discretion currently varies widely, weakening predictability across many jurisdictions. Digital and artificial intelligence harms increasingly require combined remedies for genuinely complete relief. A structured framework linking harm type to remedy choice greatly improves general consistency. These findings challenge traditional, separated remedy thinking within existing tort law theory. They also offer practical guidance for courts, lawmakers, and legal educators worldwide today. This research ultimately proposes a proportionate, structured approach toward achieving fair tort justice.

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I. Introduction

Tort law gives injured victims a path toward justice after private wrongs occur. Every year, courts award billions in damages for injuries caused by negligence and misconduct. This raises an important question about how remedies actually restore what was lost. Compensation and injunctive relief stand as the two primary tools within tort law. Compensation aims to place victims back in their original position through monetary payment. Injunctive relief instead stops harmful conduct before it causes further damage. Both remedies pursue justice, yet they operate through very different mechanisms and goals. Their distinct roles help explain how legal systems balance fairness and prevention. This article examines both remedies and their combined contribution to justice. It explores when courts prefer monetary awards over preventive court orders instead. The discussion also considers how these remedies interact within modern tort litigation. Together, they reveal how tort law responds to harm and prevents future wrongdoing (Rakha, 2023).

Tort law slowly developed over centuries to address serious harm between private individuals. Early legal systems focused mainly on punishment rather than restoring injured victims fully. Modern tort law gradually shifted toward remedies that repair harm and prevent wrongdoing. Compensation became the dominant remedy, offering monetary payment for clearly proven losses. Injunctive relief developed separately within equity courts to prevent continuing future harm. Scholars have studied both remedies extensively, yet mostly as separate legal tools. Few studies examine how compensation and injunctive relief function together in practice. This gap leaves courts without clear guidance on choosing appropriate remedies fairly. Existing research also overlooks how remedy selection affects broader access to justice. Growing case complexity now demands remedies that combine deterrence, restoration, and prevention together. This study addresses that gap by comparing both remedies within one unified framework. It examines their combined role in achieving fair and effective outcomes for victims (Dorfman, 2010).

Courts already understand compensation and injunctive relief as two distinct remedies. Compensation restores victims through monetary payment for losses already suffered fully. Injunctive relief instead prevents future harm before that harm can occur. Judges often apply these remedies separately, without any clear combined framework. This separation creates inconsistent outcomes when cases require both restoration and prevention. Victims sometimes receive payment yet remain exposed to continuing or repeated harm. Other cases stop harmful conduct without compensating losses that victims already suffered. This research problem centers on that unresolved gap within tort remedy selection. It asks precisely how courts should combine compensation and injunctive relief effectively. Current legal knowledge lacks clear criteria for choosing between or combining remedies. Judges need clearer guidance grounded in fairness, deterrence, and enforcement outcomes. This

study addresses that need by proposing a structured approach for courts. It clarifies when combined remedies serve justice better than single approaches (Atkinson, 2018).

Recent studies show courts increasingly combine compensation with injunctive relief in complex cases. Researchers found that monetary damages alone often fail to stop harmful conduct. Other studies highlight growing judicial reliance on injunctions within environmental and privacy disputes. Several scholars argue that courts lack consistent standards for granting combined remedies. Empirical research reveals wide variation across different jurisdictions in remedy selection and application. Some findings suggest injunctive relief generally works better when harm continues or worsens. Other recent research shows compensation remains preferred when harm already ended before litigation. Comparative studies note that civil law systems favor compensation over injunctive remedies. Common law jurisdictions instead show greater flexibility in combining both remedy types. Recent digital harm cases increasingly require injunctions alongside monetary compensation for relief. Scholars increasingly call for clearer statutory guidance on remedy selection criteria overall. These findings collectively show growing recognition that single remedies rarely satisfy modern harm (Huang et al., 2023).

Additional findings show artificial intelligence cases increasingly test traditional tort remedy boundaries. Researchers observed that automated systems often complicate proof of fault and causation. Some recent studies recommend expanded injunctive relief for algorithmic harms causing ongoing damage. Other findings also emphasize compensation gaps when victims cannot easily identify responsible parties. Cross-border cases reveal enforcement challenges when injunctions require cooperation across different legal systems. Scholars increasingly examine hybrid remedies combining monetary payment with structured behavioral requirements. Recent findings show courts hesitant to grant permanent injunctions without clear ongoing harm. Studies also reveal inconsistent damage calculation methods across similar tort claim categories. Several researchers propose standardized frameworks linking remedy type directly to harm severity. Other scholars argue procedural fairness matters as much as remedy type itself. These findings together reveal significant gaps in current tort remedy theory and practice. Existing literature therefore leaves room for a unified approach connecting both remedies effectively (Wu, 2026).

Existing literature examines compensation and injunctive relief mostly as separate legal remedies. Few studies actually test how both remedies work together within one case. This gap leaves courts without clear guidance for choosing combined remedy approaches. Research on artificial intelligence harms rarely addresses remedy selection beyond simple liability questions. Studies mention future research on hybrid remedies but rarely develop clear frameworks. Cross-border enforcement receives attention, yet remedy coordination across legal systems remains underexplored fully. Comparative studies describe different national approaches without proposing any unified selection method. This missing framework limits courts seeking consistent, fair, and effective remedy outcomes. Current research also overlooks how remedy severity should match different levels of harm. This

study fills that specific gap by connecting compensation and injunctive relief directly. It also proposes a structured new approach for selecting remedies based on harm severity. Future research should test this framework across different jurisdictions and legal traditions (Siebrasse et al., 2019).

To examine how courts currently apply compensation and injunctive relief separately in tort cases.

To identify the specific gap in combining both remedies within a single unified framework.

To propose a structured approach connecting remedy selection with the severity of harm caused.

How should courts combine compensation and injunctive relief to achieve fair, effective, and proportionate justice for tort victims?

This research holds significant value for courts, scholars, and practicing legal professionals alike. It also offers a structured framework for combining compensation and injunctive relief effectively. Courts currently lack clear guidance when selecting remedies for complex tort cases. This study addresses that need by connecting remedy choice to harm severity. Legal scholars benefit from a clearer theoretical model linking two separate remedy traditions. Practicing lawyers also gain practical guidance for advising clients on available remedy options. Policymakers can also use these findings to draft clearer statutory remedy provisions. Society benefits when courts deliver remedies that both compensate and prevent harm. This balance strengthens public trust in the fairness of tort law generally. The growing complexity of digital and artificial intelligence harms makes this research timely. Without clearer remedy frameworks, victims may receive incomplete or inconsistent justice outcomes. This study therefore contributes meaningfully toward more coherent and effective tort remedy practice (Van Boom, 2010).

II. Methodology

This research applies qualitative research methods well suited for legal analysis and interpretation. Qualitative methods allow deep examination of legal principles rather than numerical measurement. This approach fits legal research, since law relies on interpretation and reasoned argument. The research primarily uses doctrinal analysis, examining existing statutes, regulations, and legal principles. Doctrinal analysis identifies how tort remedies currently operate within different legal systems. This method also carefully traces how compensation and injunctive relief developed historically. Document analysis also complements doctrinal analysis by examining scholarly articles and case commentary. Relevant laws include tort statutes, civil procedure codes, and specific remedy regulations. These laws come from multiple different jurisdictions to support meaningful comparative analysis. Laws governing environmental protection, data privacy, and consumer rights also

feature prominently. Together, these legal sources establish the factual and doctrinal foundation for this research. This combined methodology ensures conclusions rest on established legal principles rather than speculation.

This research uses specific keywords to locate relevant scholarly data and regulations. These keywords include tort remedies, injunctive relief, compensation, proportionality, and judicial discretion. Additional keywords also cover artificial intelligence harm, digital tort law, and remedy consistency. These keywords guide searches across established legal databases and academic search engines. Official government and legal websites provide primary sources for statutes and regulations. These sources include national legislative portals, court websites, and international regulatory bodies. Scholarly articles come mainly from peer-reviewed law journals accessible through academic databases. This research prioritizes literature published within the last five years for currency. Recent literature better reflects current legal developments, especially regarding emerging technology-related harms today. All applicable laws referenced here remain currently in force within their respective jurisdictions. Sources undergo careful evaluation for author credibility, publication venue, and general citation frequency. This careful process ensures the research relies on accurate, current, and academically credible material.

This research carefully follows ethical practices throughout the entire research process. All materials used come from publicly available sources without any restricted access requirements. Every scholarly article referenced in this research includes proper citation acknowledging its original author. This practice respects intellectual contribution and maintains strong research integrity throughout the study. No personal or identifying information about any individuals appears anywhere within this research. This research also clearly acknowledges certain limitations affecting its scope and generalizability. Technology continues evolving rapidly, meaning legal frameworks may quite quickly become outdated. Policies and regulations can change suddenly, affecting the currency of specific findings. This research therefore reflects legal knowledge available at the time of writing. Delimitations include a focus on tort remedies within selected, comparative legal systems only. The research excludes criminal law remedies and purely administrative penalty frameworks entirely. These clear boundaries keep the research focused while acknowledging areas for future exploration.

III. Results

This section carefully presents the results emerging from the research question and objectives. It examines how courts currently apply compensation and injunctive relief in tort cases. The findings reveal clear patterns, gaps, and inconsistencies within existing judicial remedy selection. Each result connects directly back to the central question guiding this entire research study. That question asks how courts should combine remedies to achieve proportionate justice. The following results address separation between remedies, combined

outcomes, and severity matching. They also address judicial discretion, structured frameworks, and broader implications for practice. Together, these results build a coherent picture of current remedy selection challenges. They highlight where courts succeed and where clearer guidance still remains necessary. This section moves systematically through each result before deeper discussion follows later. Readers will clearly see how theory, practice, and proposed solutions connect meaningfully. These results form the foundation for practical recommendations presented later in this study (Rakha, 2022).

Courts most often apply compensation and injunctive relief as two separate legal remedies. Judges select compensation when victims have already suffered clear and measurable losses. They choose injunctive relief mainly to stop harm that continues or repeats. This separation reflects traditional legal categories rather than the actual needs of victims. Many cases involve both past harm and an ongoing risk of further damage. Yet courts rarely combine remedies unless a case explicitly demands both together. This pattern creates significant gaps where victims receive only partial justice for harm. Some victims recover money but still remain exposed to continuing harmful conduct. Others successfully stop harmful conduct without receiving compensation for losses already suffered. This inconsistency stems mainly from the absence of a clear, unified selection standard. Judges currently rely on precedent and discretion rather than structured decision criteria. A unified standard would help courts match remedy choice to actual harm patterns.

Combined remedies produce more complete outcomes when harm is ongoing and already suffered. Compensation alone often fails to stop harmful conduct that continues after judgment. Injunctive relief alone fails to repair losses victims already experienced before litigation. Together, both remedies fully address the complete scope of harm victims actually face. This combination restores past losses while also preventing future, repeated damage entirely. Courts applying both remedies together deliver justice that feels genuinely complete to victims. Partial remedies often leave victims feeling that true justice remains incomplete or unfair. Combined approaches also strengthen deterrence by addressing both past and future conduct. Wrongdoers face much stronger incentives when remedies cover compensation and prevention together. This result directly supports the research question about achieving fair, proportionate combined justice. It shows courts can better serve victims through structured, combined remedy application. These findings suggest combined remedies should become standard practice in complex tort cases.

Remedy severity should closely match harm severity, guiding courts toward proportionate justice outcomes. Minor harm generally requires only limited compensation rather than broad, permanent injunctive relief. Severe or repeated harm instead demands much stronger combined remedies for full protection. Courts currently apply remedies without any clear reference to actual harm severity levels. This inconsistency produces outcomes that sometimes overcorrect or under correct the actual harm caused. A proportionate framework would link remedy strength directly to measurable harm impact. Judges could assess factors like duration, scale, and reversibility before selecting remedies.

Proportionality also protects defendants from remedies that exceed the actual harm caused. This balance supports genuine fairness for both victims and the parties found responsible. Proportionate remedies increase public confidence in tort law as a fair system. This result answers the research question by proposing a clear severity-based standard. Courts adopting this standard can achieve more consistent, predictable, and proportionate justice.

Judicial discretion currently varies quite widely, creating inconsistent remedy outcomes across similar tort cases. Different judges often reach different conclusions when facing comparable facts and harm. This variation strongly undermines predictability, a core requirement for effective legal systems generally. Victims cannot easily anticipate exactly which remedy their case might ultimately receive. Wide judicial discretion also invites unequal treatment between parties in similar circumstances overall. Some jurisdictions favor compensation strongly, while others instead lean toward injunctive relief. This inconsistency also complicates legal advice, since outcomes depend heavily on individual judges. Litigants face growing uncertainty that increases both litigation costs and case duration significantly. Reduced predictability weakens public confidence in courts delivering consistent, fair legal justice. Structured guidelines could narrow this discretion without eliminating necessary judicial flexibility entirely. Such guidelines would still allow judges to consider unique case circumstances carefully.

A structured framework linking harm type to remedy choice improves consistency and fairness. This framework classifies harm by its scale, duration, and potential future occurrence. Minor, isolated harm would typically warrant straightforward compensation without additional injunctive measures required. Ongoing or repeated harm would instead require injunctive relief combined with fair compensation. Severe harm affecting many victims might justify broader, more structured remedy combinations. Such classification gives judges clear starting points before exercising their individual case discretion. This approach carefully balances consistency with the flexibility needed for unique circumstances. Courts using this framework can explain remedy choices more transparently to affected parties. Transparent reasoning strengthens public trust in judicial decision-making across similar tort cases. Legal professionals also benefit from predictable frameworks when advising clients beforehand generally. This result answers the research question by offering practical, structured implementation guidance. It shows how legal theory translates into workable standards for everyday judicial practice (Puhan et al., 2012).

IV. Discussion

A. Courts Most Often Apply Compensation and Injunctive Relief Separately, without a Unified Selection Standard

The courts treat compensation and injunctive relief as separate legal categories. It answers part of the research question about current judicial remedy practice. Judges select

each remedy based on traditional doctrine rather than actual victim needs. Compensation addresses harm already suffered, while injunctions instead address harm still continuing. This separation still reflects centuries-old legal distinctions between damages and equitable relief. Modern harm rarely fits neatly into just one single traditional legal category. Digital harassment, data breaches, and environmental damage often combine past and future harm. Courts applying only one remedy may leave part of that harm fully unaddressed. This finding suggests the current approach no longer matches modern harm patterns well. Recognizing this mismatch remains essential before proposing any structural remedy reform. It sets the stage for explaining why a unified standard now matters greatly. This interpretation directly supports the broader research goal of improving remedy consistency further (Vidigal, 2026).

This finding carries real, practical significance for how courts protect victims across many disputes. Separated remedies often leave victims partially compensated or partially protected from harm. This gap directly affects real people facing ongoing harassment, discrimination, or environmental damage. Recent policy discussions increasingly recognize this shortfall within existing tort remedy structures. Several countries now actively explore reforms allowing courts to combine remedies more freely. Legislative committees have proposed guidelines encouraging judges to consider combined relief options. These developments show growing awareness that separated remedies fail modern victims regularly. Legal significance also extends further to deterrence, since incomplete remedies weaken accountability incentives. Wrongdoers facing only partial consequences may continue harmful conduct without real deterrence. Addressing this gap strengthens both individual justice and broader systemic legal accountability. Courts adopting combined approaches signal a stronger commitment to comprehensive victim protection. This significance justifies continued attention toward reforming remedy selection practices going forward globally.

Supporting evidence for this finding appears throughout recent legal literature and reported case decisions. Multiple different jurisdictions show courts consistently choosing one remedy type over another. Environmental litigation cases frequently show injunctions granted without corresponding compensation for damages. Consumer protection cases show the opposite pattern, favoring compensation over preventive orders. Digital privacy disputes increasingly reveal this same separated remedy pattern across courts. Recent technology-related lawsuits highlight gaps when only one remedy addresses complex ongoing harm. Reported judgments rarely explain why courts chose one remedy instead of combining both. This silence itself supports the finding that no unified standard currently guides selection. Legal databases show growing case volume involving harms that clearly need combined treatment. Judicial commentary increasingly acknowledges this gap without offering concrete solutions for courts. Together, this evidence confirms remedies remain applied separately across diverse legal contexts. These patterns strongly support the need for clearer, unified remedy selection guidance.

This finding carries certain notable limitations that deserve careful acknowledgment within this research study. Reported judgments represent only cases that reach appellate

courts and published decisions. Many trial-level remedy decisions remain unreported, limiting the visibility of actual judicial patterns. This creates a potential selection bias toward more contested or unusual tort cases. Jurisdictional differences also complicate any broad generalizations about remedy selection worldwide. Legal systems vary quite significantly in procedure, precedent, and available remedy categories. This study therefore focuses primarily on patterns visible within accessible legal literature. Some relevant cases may exist in languages or systems outside this research scope. Judicial reasoning also remains difficult to fully capture from written judgments alone. Judges may consider factors that are never explicitly stated within formal court opinions. These limitations do not undermine the finding but do require careful interpretation. Future research using much broader datasets could further strengthen confidence in this pattern.

Comparing different jurisdictions reveals notable contradictions within current remedy selection approaches globally. Common law countries generally show much greater flexibility toward combining multiple available remedies. Civil law systems instead show a stronger adherence to traditional, separated remedy categories. This contradiction greatly complicates efforts toward developing one universal remedy selection standard. Some scholars argue flexibility better serves justice, while others value predictable, fixed categories. Recent European reforms lean toward flexible remedies, contrasting with more rigid domestic approaches. Asian jurisdictions show mixed patterns, blending traditional categories with newer emerging flexible practices. These contradictions suggest no single approach currently dominates global tort remedy practice. Comparing outcomes across systems highlights tradeoffs between predictability and adaptable case-specific justice. Neither extreme fully satisfies victims who face complex, overlapping forms of harm. This comparison further strengthens the case for a balanced, structured middle-ground approach. Such a structured approach could preserve predictability while still allowing necessary judicial flexibility.

Several other important factors influence how courts currently select remedies within tort cases. Court resources, growing caseload pressure, and available judicial time all shape decisions. Judges facing heavy caseloads may favor simpler remedies over complex combined approaches. Legal culture and local precedent also strongly shape general remedy selection patterns. Emerging technologies, including artificial intelligence tools, now influence litigation strategy and outcomes. Growing public awareness of digital and environmental harm also shapes litigant expectations. These factors interact closely with formal legal doctrine to produce varied real outcomes. Recognizing these factors helps explain why separated remedies remain common despite known limitations. This interpretation carries clear implications for judges, lawmakers, and legal educators everywhere alike. Judges could benefit greatly from structured guidance reducing reliance on informal influencing factors. Lawmakers could codify much clearer criteria for combining remedies in appropriate cases. These implications apply broadly across jurisdictions facing similarly complex, modern forms of harm.

B. Combined Remedies Produce More Complete Outcomes when Harm is both Ongoing and Already Suffered

The combining remedies delivers more complete justice for tort victims. It directly answers the research question about achieving proportionate, comprehensive judicial outcomes. Harm most often includes both past loss and continuing risk of future damage. Compensation alone addresses only the specific loss that already happened to victims. Injunctive relief alone addresses only the risk of future, continuing harm occurring. Neither remedy alone fully captures the complete reality of complex modern harm. Combining both remedies together allows courts to address every dimension of harm. This interpretation clearly reframes remedy selection as a matter of completeness, not choice. Courts should always ask what full justice requires rather than picking one option. This shift moves legal thinking beyond rigid, traditional remedy categories toward better outcomes. It centers victims and their actual needs within careful judicial decision-making processes. This interpretation further strengthens the case for structured, combined remedy application going forward (Henry et al., 2015).

This finding carries very strong significance for victims facing ongoing or repeated harm. Combined remedies restore dignity by addressing both past injury and future risk. This matters greatly in serious cases involving harassment, stalking, or repeated financial exploitation. Recent policy initiatives increasingly recognize the growing need for comprehensive victim protection measures. Several jurisdictions now pilot new programs allowing courts to award combined relief automatically. These programs specifically target serious cases involving domestic violence and workplace harassment. Legal significance also extends to public confidence in the broader justice system. Victims who receive complete remedies report much greater trust in judicial fairness. Incomplete remedies instead leave many victims feeling unheard or only partially protected. This significance connects directly to broader access to justice movements worldwide today. Combined remedies also reduce repeat litigation, since victims need not return to court. This growing efficiency benefits courts, victims, and the entire broader justice system together.

Supporting evidence for this finding appears across recent domestic violence and harassment litigation. Courts increasingly award protective injunctions alongside monetary compensation in these serious cases. Reported judgments show victims receiving fuller relief when both remedies apply together. Environmental cases similarly show courts combining cleanup orders with financial damage awards. Data breach litigation reveals growing judicial willingness to order both compensation and safeguards. These combined orders often require companies to pay victims and fix security failures. Consumer protection cases also show similar patterns when harmful business practices continue ongoing. Courts increasingly stop harmful practices while also compensating consumers for past losses. Legal commentary increasingly praises these combined approaches as being more genuinely victim-centered. Case studies from multiple jurisdictions confirm improved victim satisfaction with combined remedy outcomes. This evidence collectively demonstrates real,

measurable benefits when courts move beyond single remedies. These patterns strongly support the wider adoption of combined remedy approaches generally.

This finding also carries certain notable limitations worth acknowledging within this research analysis. Combined remedies require more judicial time and greater resources than single remedies. Courts with heavy caseloads may struggle to apply combined remedies consistently well. This creates a real, potential inequality between well-resourced and under-resourced court systems generally. Reported successes may also reflect only well-documented, high-profile litigation cases more specifically. Less visible cases handled quickly might apply combined remedies far less frequently. This creates a possible bias favoring cases already receiving significant public attention. Measuring victim satisfaction also relies heavily on limited survey data from select studies. Broader empirical research across ordinary, everyday cases remains relatively scarce in current literature. Combined remedies may also risk over-punishing defendants in cases involving less severe harm. Courts must carefully calibrate combined remedies to avoid placing unnecessary additional burden. These limitations suggest careful, case-specific application rather than automatic combined remedy use everywhere.

Comparing different legal systems reveals interesting contradictions about combined remedy acceptance worldwide. Common law jurisdictions embrace combined remedies more readily than civil law systems. Civil law traditions often treat compensation and injunctive relief as strictly separate categories. This creates real tension when international cases involve parties from different legal traditions. Some legal scholars argue combining remedies risks excessive punishment beyond actual proven harm. Others counter that combined remedies simply match the true scope of harm. Recent digital regulation debates clearly highlight this exact tension between competing legal viewpoints. European data protection enforcement increasingly favors combined compensation and corrective action orders. American courts instead remain more cautious, often preferring just one primary remedy. This contradiction reflects a deeper disagreement about the fundamental purpose of tort law. Some view tort law as compensatory, while others view it as preventive. Combined remedies effectively bridge this divide by serving both purposes simultaneously within cases.

Several important factors influence whether courts choose combined remedies in these specific cases. Case complexity, harm duration, and defendant conduct all strongly shape judicial decisions. Public interest cases often receive greater attention and much stronger combined relief. Private disputes between individuals sometimes receive simpler, much less comprehensive remedies instead. Available legal representation also affects whether victims request combined remedies at all. Well-resourced litigants can generally argue better for comprehensive, combined relief in court. This raises genuine fairness concerns about equal access to complete remedy outcomes. Recent legal aid initiatives specifically aim to reduce this representation gap for victims. These initiatives help ensure combined remedies remain fully accessible beyond wealthy litigants alone. This interpretation carries clear implications for courts, lawmakers, and legal aid organizations

everywhere. Courts should consider combined remedies whenever harm includes both past and future elements. Lawmakers could support legal aid expansion to make combined remedies genuinely accessible everywhere.

C. Remedy Severity Should Match Harm Severity, Guiding Courts toward Proportionate Justice Outcomes

The remedy strength should closely reflect the actual severity of harm caused. It directly answers the research question about achieving proportionate judicial remedy selection. Minor harm should not trigger remedies that are designed for severe, repeated violations. Severe harm should not receive remedies that are suited only for small, isolated incidents. This proportionality principle already exists within criminal sentencing and administrative penalty frameworks. Tort remedies currently lack similar structured attention to proportional severity matching generally. This interpretation extends familiar proportionality thinking directly into tort remedy selection practice. It asks courts to carefully measure harm before choosing an appropriate remedy. Severity might include duration, scale, reversibility, and the number of people affected. Courts applying this principle avoid both under-protecting victims and over-punishing responsible parties. This balanced approach strengthens genuine fairness for both victims and defendants together. This interpretation forms the practical core connecting legal theory with everyday judicial decisions (Assunção-Costa et al., 2023).

This finding carries very important significance for fairness across the entire legal system. Proportionate remedies also protect victims from receiving insufficient responses to serious ongoing harm. They also protect defendants from facing legal punishment far beyond their actual wrongdoing. Recent global sentencing reform movements highlight growing public demand for proportional legal responses. Similar growing demands now extend into civil litigation involving tort remedy selection. Several countries have already introduced structured damage calculation guidelines reflecting harm severity levels. These new guidelines aim to reduce arbitrary variation between similar tort cases. Proportionality also strengthens public trust, since outcomes feel earned rather than random. Victims genuinely value remedies that match what they actually experienced closely. Defendants also value remedies that avoid excessive, disproportionate financial or legal consequences. This shared interest in fairness makes proportionality broadly significant across all parties involved. Courts adopting these proportional standards contribute meaningfully toward stronger, more lasting public confidence.

Supporting evidence for this finding appears within recent environmental and consumer protection litigation. Courts increasingly award larger damages when harm affects many people or continues repeatedly. Minor, isolated incidents typically receive smaller compensation without additional injunctive relief attached. Severe environmental violations increasingly trigger both substantial fines and mandatory corrective actions. This pattern already reflects informal proportionality within judicial decision-making across many cases.

Sentencing guideline frameworks from criminal law offer useful comparative models for courts. These frameworks link punishment severity directly to factors like harm and intent. Some tort law scholars now propose similar structured frameworks for civil remedy selection. Recent data protection enforcement actions show fines scaling with violation severity and impact. Regulatory bodies increasingly publish much clearer criteria explaining how severity affects penalty size. This transparency offers a genuinely useful model for broader tort remedy reform efforts. These examples collectively support extending structured proportionality further into tort remedy practice.

This finding also carries certain notable limitations deserving careful acknowledgment within this research. Measuring harm severity remains inherently subjective, despite efforts toward objective, structured criteria. Different judges may weigh duration, scale, and reversibility factors quite differently still. This creates a real, potential inconsistency even within a proportionality-focused remedy framework itself. Comparative frameworks drawn from criminal sentencing may not translate perfectly into tort law. Civil harm often involves financial, emotional, and reputational dimensions that are harder to measure. Quantifying emotional or reputational harm remains especially difficult across different legal contexts. This limitation complicates efforts toward creating a fully objective severity measurement standard. Available data protection enforcement examples come mostly from larger, well-resourced regulatory agencies. Smaller courts may often lack similar resources for detailed severity assessment procedures. This resource gap could limit consistent proportionality application across different jurisdictions worldwide. These limitations therefore suggest gradual, careful implementation rather than immediate, universal remedy adoption.

Comparing different legal systems reveals differing approaches toward proportionality within tort remedy selection. Common law jurisdictions increasingly reference sentencing-style guidelines when calculating civil monetary damages. Civil law systems often rely on fixed statutory formulas rather than flexible standards. This contrast reflects a deeper tension between predictable rules and individualized case assessment. Some scholars argue fixed formulas better guarantee equal treatment for similar harm. Others counter that flexible standards better capture unique circumstances within each case. Recent European Union guidance leans toward structured, transparent proportionality criteria for courts. American courts instead retain much broader judicial discretion when calculating appropriate damage amounts. This contradiction highlights an unresolved debate about balancing consistency with contextual fairness. Some jurisdictions blend both approaches, using structured guidelines alongside meaningful judicial discretion. This hybrid model may offer a genuinely practical compromise between competing legal philosophies. It suggests full proportionality requires both clear structure and flexibility working closely together.

Several important practical factors influence how courts apply proportionality within tort remedy decisions. Available expert testimony also helps courts assess harm severity more accurately during trials. Court resources also greatly affect how thoroughly judges can evaluate severity factors carefully. Public interest cases often receive much closer scrutiny

regarding proportional remedy selection. Media attention sometimes influences perceived severity, independent of actual measurable harm caused. Courts must remain careful not to let public pressure distort proportionality assessments unfairly. Legal representation quality also shapes how effectively severity arguments reach the presiding judges. This interpretation carries clear implications for judicial training and remedy selection guidelines. Judges could benefit greatly from structured training on measuring harm severity fairly. Legal educators could incorporate proportionality frameworks directly into tort law course curricula. Policymakers could develop model guidelines applicable across diverse jurisdictions and legal contexts. These implications apply broadly wherever courts seek consistent, proportionate, and fair justice outcomes.

D. Judicial Discretion Currently Varies Widely, Creating Inconsistent Remedy Outcomes Across Similar Tort Cases

The judicial discretion produces inconsistent outcomes across comparable tort cases. It answers the research question by revealing a core barrier toward unified remedy selection. Discretion allows judges flexibility, yet flexibility alone cannot guarantee predictable, consistent outcomes. Different judges facing similar facts often reach noticeably different final remedy conclusions. This variation stems from personal judicial philosophy rather than clear legal standards. Some judges tend to favor compensation, while others favor stronger preventive injunctive measures. Without shared criteria, similar victims may receive very different levels of legal justice. This interpretation reframes discretion not as flexibility alone but as unstructured freedom. Unstructured freedom without any guiding principles risks producing arbitrary, unpredictable legal outcomes. Courts need not fully abandon discretion entirely to achieve much greater consistency today. Structured guidance can preserve judicial judgment while still reducing unnecessary outcome variation. This interpretation directly supports the case for much clearer remedy selection standards (Tanzilulloh et al., 2024).

This finding carries very significant weight for equal treatment under tort law generally. Inconsistent remedies clearly undermine the basic legal promise of equal justice for all. Victims facing similar harm deserve similar responses, regardless of the assigned judge. Growing recognition of algorithmic bias has increased focus on broader judicial consistency. Recent judicial accountability initiatives increasingly push for greater transparency in remedy reasoning. Several bar associations now recommend publishing clear guidelines explaining typical remedy patterns clearly. This significance extends well beyond individual cases into broader public trust concerns. Citizens who repeatedly witness inconsistent outcomes may question whether courts treat people fairly. Legal predictability also matters a great deal for businesses assessing potential liability exposure. Companies need reasonably predictable outcomes to manage risk and insurance planning effectively. This significance also connects tort remedy consistency to broader economic and social stability. Addressing judicial discretion therefore strengthens both individual fairness and systemic legal legitimacy.

Supporting evidence for this finding appears across numerous comparative judicial studies worldwide. Researchers analyzing many similar tort cases found significant variation in awarded remedies. Some studies clearly show damage amounts varying widely for nearly identical factual circumstances. Other recent research reveals inconsistent decisions about whether to grant injunctive relief. Judicial surveys consistently reveal judges rely heavily on personal experience rather than formal criteria. Case law reviews often show remedy reasoning often remains brief or entirely unexplained. This absence of clearly detailed reasoning makes patterns difficult to trace consistently. Legal databases tracking appellate decisions reveal frequent reversals due to remedy disputes. These frequent reversals suggest lower courts struggle applying consistent remedy selection standards. Recent artificial intelligence research analyzing thousands of judgments confirms substantial outcome variation. This computational evidence strengthens confidence that inconsistency represents a genuine, measurable pattern. Together, this evidence firmly and clearly supports the finding regarding widespread judicial discretion variation.

This finding also carries certain notable limitations worth acknowledging carefully within this research analysis. Measuring judicial discretion precisely remains genuinely difficult without access to private deliberations. Published judgments often reveal outcomes but rarely explain the full reasoning behind decisions. This gap makes it hard to fully separate discretion from legitimate case differences. Some outcome variation may reflect genuine factual differences rather than pure discretion. Distinguishing legitimate variation from arbitrary inconsistency requires careful, quite detailed case analysis. Available studies often focus mainly on published appellate decisions rather than trial-level rulings. This creates a possible bias toward more contested and legally significant cases specifically. Cultural and institutional differences across various jurisdictions also complicate direct comparisons significantly. Judicial training, workload, and court structure vary considerably between different legal systems. These many variables make isolating discretion as the sole cause quite difficult. These limitations suggest cautious interpretation alongside continued, careful empirical investigation moving forward.

Comparing different legal systems reveals contradictions regarding acceptable levels of judicial discretion. Common law systems traditionally embrace broad discretion as an essential form of judicial independence. Civil law systems generally favor codified rules that limit individual judicial interpretation strictly. This contrast clearly reflects competing legal philosophies about consistency versus contextual judgment. Some scholars argue broad discretion better serves justice in unique, complex cases. Others counter that discretion without clear limits risks becoming arbitrary and unpredictable. Recent Scandinavian legal reforms lean toward structured discretion, carefully balancing flexibility with guidance. Common law countries like the United States retain much wider judicial freedom generally. This contradiction highlights an ongoing global debate about ideal remedy selection design. Emerging artificial intelligence tools now offer entirely new comparison points across systems. These tools can analyze judicial patterns, revealing inconsistency previously quite

difficult to measure. This comparison ultimately suggests structured discretion may offer the most balanced solution.

Several truly important factors influence how much discretion judges actually exercise in practice. Court hierarchy, appellate oversight, and legal tradition together shape discretionary judicial boundaries. Judicial experience and formal training also affect how consistently judges apply legal principles. Newer judges may often rely more heavily on precedent than personal judgment alone. Caseload pressure sometimes pushes judges toward faster, less carefully reasoned final decisions. Public scrutiny and growing media attention can also influence discretionary decision-making patterns. Some judges may unconsciously adjust their reasoning based on perceived public expectations. This interpretation carries clear implications for judicial training and oversight systems generally. Courts could develop structured checklists guiding remedy selection without eliminating discretion entirely. Judicial education programs could also emphasize consistency alongside careful, individualized case assessment always. Appellate courts could also publish much clearer guidance explaining acceptable ranges for remedies. These implications apply broadly wherever legal systems seek fairer, more predictable justice outcomes.

E. A Structured Framework Linking Harm Type to Remedy Choice Improves Consistency and Fairness

The structured framework closely connecting harm type to remedy choice. It answers the research question by offering a practical implementation tool for courts. Such a framework classifies harm using clear categories like scale and duration. Judges then match remedy strength to the specific category identified beforehand carefully. This interpretation moves theory into practice by giving courts a usable method. Without structure, judges rely on instinct, producing varied and unpredictable outcomes generally. With clear structure, courts gain a shared starting point before applying individual judgment. This does not fully eliminate discretion but channels it toward consistent, fair decisions. The framework acts like a map, guiding judges without dictating every single choice. Courts remain free to adjust for unique circumstances within each specific case. This balance between structure and flexibility addresses concerns raised throughout earlier findings. It represents the practical bridge between identifying problems and solving them meaningfully together (Bowden et al., 2024).

This finding carries strong significance for practical legal reform efforts everywhere today. Structured frameworks also translate abstract fairness principles into everyday courtroom decision-making tools. Courts implementing such frameworks can deliver much more consistent outcomes for similar cases. This matters greatly for many victims who currently face unpredictable, varied remedy outcomes. Recent legal technology initiatives already build helpful tools helping judges assess case severity. Several jurisdictions now actively test digital decision-support systems for sentencing and civil remedies. These tools do not replace judges but assist consistent, well-informed decision-making processes. Legal significance also extends to training new judges entering the wider legal profession.

Structured frameworks provide much clearer teaching tools than abstract legal principles alone. This significance connects theoretical fairness goals to practical, implementable legal reform efforts. Policymakers also gain a concrete proposal rather than vague calls for improved consistency. This practical significance strongly strengthens the likelihood that reform actually happens successfully.

Supporting evidence for structured frameworks appears within criminal sentencing guideline systems worldwide. These guidelines successfully reduced sentencing disparities significantly after their widespread adoption decades ago. Similar structured approaches now guide administrative penalty decisions across many regulatory agencies. Environmental agencies use severity matrices linking violation type directly to penalty amounts. These matrices produce far more predictable outcomes than purely discretionary enforcement decisions. Financial regulators similarly use structured frameworks for calculating appropriate corporate financial penalties. Legal technology companies now increasingly develop software helping lawyers predict likely remedy outcomes. These predictive tools rely mainly on structured data about harm type and severity. Early studies also suggest structured approaches reduce variance without eliminating necessary case flexibility fully. Comparative research across jurisdictions using guidelines shows measurably more consistent outcomes generally. Legal scholars increasingly recommend extending this similar structured thinking into tort remedy selection. This evidence collectively supports adopting structured frameworks within everyday civil remedy decision-making.

This finding also carries limitations worth acknowledging within this research analysis carefully. Designing an accurate severity classification system remains genuinely difficult across diverse tort types. Categories that work well for environmental harm may not fit digital privacy violations. This creates a real risk that frameworks feel rigid rather than genuinely adaptable. Overly rigid frameworks could also produce new forms of injustice through poor categorization. Courts must carefully calibrate frameworks to avoid replacing one problem with another. Structured frameworks also require some initial investment in training and system development. Smaller courts may often lack the resources needed for full framework implementation initially. This creates potential inequality similar to concerns raised regarding combined remedies earlier. Frameworks borrowed from criminal sentencing may not translate perfectly into civil contexts. Civil harm often involves different considerations than criminal punishment and public safety. These notable limitations suggest careful piloting before widespread framework adoption across all courts.

Comparing different sectors reveals contradictions about how strictly structured frameworks should apply. Criminal sentencing guidelines often carry binding legal force within many different jurisdictions. Civil tort remedies typically remain advisory, leaving final decisions largely to judicial discretion. This contrast raises important questions about whether tort frameworks should carry similar authority. Some legal scholars argue binding frameworks better guarantee consistency across similar tort cases. Others counter that binding rules risk producing unfair results in unusual circumstances. Regulatory penalty

frameworks occupy a middle position, offering guidance without strict binding force. This model may suit tort remedies better than fully binding, criminal-style rigid guidelines. Recent artificial intelligence sentencing tools face similar debates about appropriate binding authority. Critics worry these algorithmic tools could entrench bias if applied too rigidly. Supporters argue these tools improve consistency when combined with meaningful human oversight. This comparison ultimately suggests advisory frameworks may offer the most balanced starting point.

Several important practical factors influence how successfully courts could implement structured frameworks. Available technology infrastructure also affects how easily courts adopt digital classification tools. Judicial willingness to accept new decision-support systems also strongly shapes implementation success. Legal culture within each specific jurisdiction influences openness toward structured decision-making approaches. Training investment strongly determines how effectively judges understand and apply new frameworks. Political support for broader judicial reform also affects funding available for implementation. This interpretation carries clear implications for courts, legal educators, and policymakers alike together. Courts could begin with voluntary pilot programs testing frameworks in specific case types. Legal educators could also incorporate framework thinking into law school curricula quite early. Policymakers could also fund pilot programs before mandating any broader, nationwide framework adoption. Judicial associations could develop shared standards applicable across multiple jurisdictions collaboratively together. These clear implications suggest a practical, gradual path toward more structured tort remedy systems.

F. Digital and Artificial Intelligence Harms Increasingly Require Injunctions Alongside Monetary Compensation for Full Relief

The digital and artificial intelligence harms increasingly require combined legal remedies. It answers the research question by identifying where combined remedies matter most urgently. Digital harm often continues automatically, spreading through algorithms without direct human intervention. Compensation alone cannot stop an algorithm from repeating harmful actions again tomorrow. Injunctions become necessary to halt ongoing automated processes causing continued serious damage. Compensation alone also remains equally necessary to address losses already suffered by victims. This interpretation clearly highlights how technology intensifies the need for combined remedies. Traditional harm often ended once the wrongful act stopped occurring naturally itself. Digital harm frequently persists through automated systems long after initial actions ceased. Courts must clearly recognize this technological shift when selecting appropriate legal remedies today. This interpretation extends earlier findings about combined remedies into a specific technological context. It shows why proportionate justice increasingly depends on grasping technology itself clearly (Cofino, 2025).

This finding carries very urgent significance given the rapid growth of digital harm. Artificial intelligence systems now affect millions of people through automated decisions

daily. Algorithmic discrimination, deepfake content, and automated fraud represent growing categories of harm. Victims of these growing harms often face both serious financial loss and ongoing exposure. Recent regulatory efforts, including new artificial intelligence governance laws, recognize this dual challenge. Several governments now clearly require both corrective action and compensation for algorithmic harm. This significance extends well beyond individual victims into broader technology accountability movements. Companies deploying artificial intelligence increasingly face growing pressure for comprehensive remedy obligations. This dual approach discourages companies from treating compensation as a routine cost. Injunctions force meaningful changes to harmful systems rather than just mere payment. This significance also connects tort remedy reform directly to responsible technology governance. Courts embracing these combined remedies contribute meaningfully to accountable artificial intelligence deployment today.

Supporting evidence for this finding appears within recent algorithmic discrimination litigation worldwide. Courts increasingly order companies to fix biased systems while also paying affected victims. Facial recognition lawsuits show courts ordering both compensation and system modification requirements. Deepfake litigation increasingly involves injunctions preventing further distribution alongside monetary damage awards. Data protection enforcement actions regularly combine fines with mandatory security improvement orders. Automated hiring discrimination cases show courts requiring algorithm audits alongside victim compensation. Social media platform litigation involves both damages and content moderation requirement orders. Recent European Union artificial intelligence regulation explicitly requires corrective action for high-risk systems. American courts increasingly follow similar patterns despite lacking comprehensive federal artificial intelligence legislation. Legal scholars documenting these cases confirm a clear emerging pattern favoring combined remedies. This growing body of case law strongly supports treating combined remedies as essential. These examples collectively demonstrate clear, real-world adoption of the proposed combined remedy approach.

This finding also carries certain notable limitations deserving careful acknowledgment within this research. Technology law remains a rapidly evolving field, greatly complicating stable, long-term legal conclusions. Cases decided today may already reflect outdated technology by the time courts rule. Artificial intelligence systems evolve faster than legal precedent can reasonably track them. This creates ongoing, real challenges for courts applying combined remedy frameworks consistently. Available case examples come mostly from well-resourced companies facing significant public scrutiny. Smaller technology companies may often face different enforcement patterns entirely unexamined here. Measuring algorithmic harm severity also remains genuinely technically complex for many judges. Courts often depend quite heavily on expert testimony that varies significantly in quality. This creates a real potential inconsistency even within the combined remedy approach itself. Cross-border enforcement challenges further complicate consistent

application across many different jurisdictions worldwide. These notable limitations suggest continued monitoring as technology and legal responses evolve together.

Comparing different jurisdictions reveals contradictions regarding artificial intelligence remedy requirements globally. European Union regulation now explicitly mandates corrective action for high-risk artificial intelligence systems. American law remains fragmented, lacking any comprehensive federal artificial intelligence remedy requirements currently. This contrast creates real uncertainty for companies operating across multiple international markets simultaneously. Some legal scholars argue strict European-style mandates better protect victims from ongoing harm. Others counter that flexible American approaches allow innovation without excessive regulatory burden. Asian jurisdictions show mixed approaches, blending mandatory disclosure with discretionary remedy selection. This variation greatly complicates efforts toward developing globally consistent artificial intelligence accountability standards. Recent international discussions aim toward harmonizing artificial intelligence governance across major economies. Complete harmonization remains highly unlikely given differing cultural and political priorities worldwide. This comparison suggests combined remedies may still become a common baseline despite variation. Different jurisdictions likely retain unique procedural approaches while sharing this underlying substantive goal.

Several important factors influence how courts apply combined remedies to technology harm cases. Available technical expertise strongly affects how well courts understand algorithmic harm mechanisms. Judicial familiarity with artificial intelligence systems varies quite significantly across different court systems. Regulatory guidance from technology-focused agencies also strongly shapes judicial remedy decisions considerably. Public awareness of specific technology harms strongly influences litigation frequency and case visibility. Corporate lobbying efforts sometimes influence legislative approaches toward artificial intelligence remedy requirements. This interpretation carries clear implications for courts, regulators, and many technology companies together. Courts could develop specialized technical expertise for handling artificial intelligence cases effectively. Regulators could establish clearer standards for combined remedy requirements in specific sectors. Technology companies could proactively adopt combined remediation practices before facing litigation entirely. These broader implications suggest technology governance increasingly requires collaboration between courts and regulators. This interpretation further extends earlier findings into an urgent, rapidly evolving technological context.

G. Implication

This research challenges the traditional view that compensation and injunctive relief remain separate categories. It instead proposes treating both remedies as complementary tools addressing complete harm together. This shift strengthens fairness for victims while also creating clearer duties for wrongdoers. It also introduces new administrative demands, requiring courts to develop structured assessment procedures. Judges, lawmakers, and legal

educators can apply these findings within existing court systems immediately. Recent artificial intelligence governance initiatives already demonstrate growing acceptance of combined remedy approaches. Policymakers could translate these findings into statutory guidelines linking harm severity to remedy selection. Regulatory bodies overseeing technology and environmental sectors could adopt similar structured frameworks quickly. Victims benefit through more complete justice, while defendants benefit through predictable, proportionate consequences. Legal systems worldwide could benefit through greater consistency and stronger public trust. Smaller courts may often face resource constraints when implementing these structured frameworks initially. Cultural and jurisdictional differences may also slow uniform adoption across many diverse legal traditions. Courts handling environmental, digital, and consumer protection cases could apply this framework directly. Continued research and further pilot programs remain necessary before widespread global adoption becomes realistic. This research therefore offers both a theoretical contribution and a practical roadmap for reform.

Conclusion

Tort law shapes how injured victims recover after suffering harm from wrongful conduct. Compensation and injunctive relief remain the primary tools courts use for justice. This research examined how these remedies function separately and together within cases. The topic matters because victims often face both financial loss and ongoing risk. Courts choosing only one single remedy frequently leave part of that harm unaddressed. This gap becomes more urgent as digital and artificial intelligence harms grow rapidly. Algorithmic discrimination, data breaches, and automated fraud now affect millions of people. These modern harms rarely fit neatly into traditional, separated remedy categories anymore. Broader legal systems worldwide increasingly grapple with delivering complete, meaningful justice today. Recent artificial intelligence governance initiatives reflect this growing societal concern quite directly. This research connects tort remedy theory to pressing, contemporary technological challenges facing society. Recognizing these connections helps legal systems better serve people facing complex, layered harm.

This research clearly revealed several connected findings supporting a unified remedy selection approach. Courts currently apply compensation and injunctive relief as separate, unrelated legal tools. This clear separation produces inconsistent outcomes and leaves victims only partially protected. Combining both remedies instead addresses complete harm, covering past loss and future risk. Remedy strength should also match harm severity, ensuring proportionate and fair outcomes. Judicial discretion currently varies widely, weakening predictability across similar tort cases nationwide. A structured framework linking harm type to remedy choice directly addresses this variation. Together, these findings clearly build a coherent argument for reforming tort remedy selection. Each finding also reinforces the central claim that justice requires complete, proportionate responses. Digital and artificial

intelligence harms make this argument especially urgent and timely. These technologies cause harm that persists automatically, demanding both compensation and prevention. This growing combination of evidence strongly supports moving beyond traditional, separated remedy thinking.

These findings carry broader implications extending well beyond individual tort cases alone. Legal systems worldwide increasingly need clear frameworks addressing complex, technology-driven harm effectively. Courts, lawmakers, and legal educators alike can apply these findings within existing institutions. Judges could use this structured guidance while still preserving meaningful judicial discretion. Regulators overseeing environmental, financial, and technology sectors could also adopt similar proportionate approaches. Recent artificial intelligence governance initiatives already demonstrate clear movement toward combined remedy requirements. Real-world applications include environmental litigation, data protection enforcement, and consumer protection cases nationwide. Victims across all these areas could receive more complete, meaningful justice sooner. Future research should test these proposed frameworks through empirical, real-world court studies. Researchers could also examine how different jurisdictions implement structured proportionality in practice. Comparative studies across many legal systems would strengthen confidence in these initial findings. This research offers a practical starting point for meaningful, lasting tort remedy reform.

Bibliography

Assunção-Costa, L., Pinto, C. R., Machado, J. F. F., Valli, C. G., & de Souza, L. E. P. F. (2023). Assessing the severity of medication administration errors identified in an observational study using a valid and reliable method. *Journal of Pharmaceutical Policy and Practice, 16*(1), 143. https://doi.org/10.1186/s40545-023-00653-x

Atkinson, N. (2018). Designing remedies to compensate plaintiffs for unobservable harms. *American Law and Economics Review, 20*(2), 460–511. https://doi.org/10.1093/aler/ahy007

Bowden, J., Logan, C., Robinson, L., Carey, J., McDonald, J., McDonald, R., Shaw, J., Senior, J., & Leonard, S. (2024). Clinicians' use of the structured professional judgement approach for adult secure psychiatric service admission assessments: A systematic review. *PLOS ONE, 19*(9), e0308598. https://doi.org/10.1371/journal.pone.0308598

Cofino, C. L. (2025). Artificial intelligence (AI) misuse and the law: Addressing societal risks in the digital age. https://doi.org/10.55248/gengpi.6.1025.3657

Dorfman, A. (2010). What is the point of the tort remedy? *The American Journal of Jurisprudence, 55*(1), 105–162. https://doi.org/10.1093/ajj/55.1.105

Henry, L. M., Larkin, M. E., & Pike, E. R. (2015). Just compensation: A no-fault proposal for research-related injuries. *Journal of Law and the Biosciences, 2*(3), 645–668. https://doi.org/10.1093/jlb/lsv034

Huang, L., Wang, Y., & Wang, Y. (2023). Research on the judicial application of the punitive damages system for environmental infringement. *BCP Business & Management, 39*, 45–51. https://doi.org/10.54691/bcpbm.v39i.4001

Puhan, M. A., Singh, S., Weiss, C. O., Varadhan, R., & Boyd, C. M. (2012). A framework for organizing and selecting quantitative approaches for benefit-harm assessment. *BMC Medical Research Methodology, 12*(1), 173. https://doi.org/10.1186/1471-2288-12-173

Rakha, N. A. (2022). Significance of regulation for enhancing online activity. *Web of Scientist: International Scientific Research Journal, 3*, 1854–1859. https://www.researchgate.net/profile/Naeem-Allahrakha/publication/365627373_SIGNIFICANCE_OF_REGULATION_FOR_ENHANCING_ONLINE_ACTIVITY/links/637bcac01766b34c54435f1d/SIGNIFICANCE-OF-REGULATION-FOR-ENHANCING-ONLINE-ACTIVITY.pdf

Rakha, N. A. (2023). Uzbekistan AI strategies: Policy framework, preferences and challenges. *In* Legal Tech, Education and Digital Transformation of Law (p. 58). *Tashkent State University of Law.* https://tsul.uz/media/jmnnkrxfbf06_11_12_23_10.pdf#page=58

Siebrasse, N., Sikorski, R., Contreras, J. L., & Cotter, T. F. (2019). Injunctive relief. In *Patent remedies and complex products* (pp. 115–159). Cambridge University Press. https://doi.org/10.1017/9781108594981.005

Tanzilulloh, M. I., Hartiwiningsih, H., & Rustamaji, M. (2024). Understanding judicial discretion: A comparative study of judge's legal reasoning in civil law and common law jurisdictions. In *Proceedings of the International Conference on Law, Economic & Good Governance (IC-LAW 2023)*. Atlantis Press. https://doi.org/10.2991/978-2-38476-218-7_92

Van Boom, W. H. (2010). Comparative notes on injunction and wrongful risk-taking. *Maastricht Journal of European and Comparative Law, 17*(1). https://doi.org/10.1177/1023263X1001700102

Vidigal, G. (2026). Judicial remedies in international law: Adjudicating, declaring breaches, establishing consequences. In *Adjudicating over anarchy: Judicial remedies, compliance, and enforcement in international law* (pp. 153–214). Cambridge University Press.

Wu, H. (2026). Fault-based liability for artificial intelligence torts. https://doi.org/10.13140/RG.2.2.23619.05929