



## What Is The Reasonable Person Standard?

The reasonable person standard is applied in cases where a defendant owes a duty to others and may have breached that duty. Did the defendant use the level of care and caution that a normal person would have used in the same situation?

That is, essentially, what the jury is asked to determine when applying the reasonable person standard.

The concept is often used in civil cases that involve negligence. Consider, for example, a case involving a driver running a red light and causing an accident. A reasonable person doesn't drive through red lights, so if the driver did so, the jury would hold them responsible for any harm caused. On the other hand, an unexpected mechanical failure that made the brakes fail is out of even the most reasonable person's control. If that was the reason the driver ran the red light, the jury would most likely say the driver acted reasonably and was not responsible.

This can be applied in Sexual Harassment Cases too.



Ensure A Respectful & Safe Workplace. In such case,  
Zero Tolerance means anything

**Less than Zero**

**HR Vidyalaya - The POSH Specialist**



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