

Law of Torts

Module title			
Law of Torts			
Module NFQ level (only if an NFQ level can be demonstrated)	Module number / reference	ECTS Value	Duration
Level 8 NFQ	LLBH - LT	15 ECTS	24 weeks.
Parent programme(s). Principal programme title, and embedded(s) if relevant		Stage of parent programme	Semester No.
Bachelor of Laws (Honours)		1	1 and 2
Bachelor of Laws (Honours) in Criminal Justice		1	1 and 2
Bachelor of Laws (Honours) in Commercial Law		1	1 and 2
Teaching and Learning modes	Proportion (% of Total Directed Learning)		
Classroom / Face to Face	26%		
Workplace			
Online			
Other (Identify)	74% (Independent Research and Learning)		
Entry requirements (statement of knowledge, skill and competence)			
Please see section 4.2 for full details of entry requirements.			
Maximum number of learners per instance of the module	Sixty (60)		
Average (over the duration of the module) of the contact hours ¹ per week	4		
Pre-requisite module title(s) (if any)	None		
Co-requisite module title(s) (if any)	No		
Is this a capstone module? (Yes or No)	No		
Module-specific physical resources and support required per centre (or instance of the module)			
Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).			
Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.			
Role e.g. Tutor, Mentor etc	Qualifications & experience required:	# of Staff with this profile (WTEs ²)	
Lecturer	Lecturers expected to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.	0.25 WTE	

¹ Effort while in contact with staff

² WTE is the whole-time equivalent number. The number 1 indicates a fulltime person fully dedicated to the programme. 0.5 indicates a part-time person available to this programme half of the time.

Analysis of required learning effort		
*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	96
Mentoring and small-group teaching	-	-
Other (specify)	-	-
Independent Learning		
Directed e-learning (hours)		-
Independent Learning (hours)		279
Other hours (specify)		-
Work-based learning hours of learning effort		-
Total Effort (hours)		375

Allocation of Marks					
	Continuous Assessment	Supervised Project	Proctored Practical Exam.	Proctored Written Exam	Total
Percentage Contribution	40			60	100%

6.1.1 Module aims and objectives

Law of Torts offers learners key learning and skills in their foundational year. The Module aims to introduce learners to the origins and functions of Law of Torts. Learners are enabled to distinguish between the theoretical and practical underpinnings of Law of Torts compared to other areas of law, including Law of Contract and Criminal Law. The module is designed to provide learners with a broad perspective by examining all key areas of Law of Torts including negligence, defamation, occupiers' liability and trespass. Learners are equipped to understand and address the practical effect of Law of Torts on day-to-day life including the handling of psychiatric injury claims and employer liability. Learners are also familiarized with the defences and remedies available in Tort actions, including contributory negligence and damages. Finally, the module's aims to enable learners to apply Law of Torts principles to different factual scenarios.

6.1.2 Minimum intended module learning outcomes

On successful completion of this Module, learners will be able to:

- (i) Evaluate the origins and functions of Tort Law;
- (ii) Apply a specialised knowledge of the fundamental doctrines and principles of the Law of Torts and the characteristics of specific Torts;
- (iii) Analyse the inter-relationship between Tort and the other branches of law particularly Contract and Constitutional law;
- (iv) Apply knowledge of the remedies available in Tort and the legal underpinnings behind them;
- (v) Research legal problems using both hard copy sources and online legal databases;
- (vi) Apply Tort Law principles to practical, abstract factual situations arising in a legal context;
- (vii) Engage in basic legal reasoning and predictive analysis demonstrating knowledge of the principles of Tort Law;

6.1.3 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

Law of Tort is a core module where learners become familiar with the principles, legislation and case law relating to the area of Torts within the Irish legal system. The Module comprises learning in key areas of law from both professional practice and academia. This module provides a platform for other modules such as commercial law and Law and Ethics in Healthcare. It is also one of the subjects that is examined by the Law Society of Ireland to embark upon training as a solicitor in Ireland and the Kings Inns to embark upon training as a barrister. The Module serves to directly underpin programme-learning outcomes (iii) conceptualise and communicate legal arguments with clarity and precision and (vi) effectively employ advanced research skills, including use of legal databases, to investigate, interrogate and critique the law. This module also directly underpins the Programme Minimum Learning Outcomes (i), (ii), (iv), (v), (ix) and (xi).

6.1.4 Information provided to learners about the module

At the start of the Academic Year, learners will receive their Faculty Handbooks. The Faculty Handbook provides general information about the faculty, its staffing, resources, and operation. Detailed programme information is supplied through Moodle, including copies of the approved module descriptors from the accredited programme (detailing related teaching, learning and assessment) along with a programme timetable.

During the first class of the Module, learners are given a detailed outline of the Module showing the schedule of delivery and the dates when assignments are released and due for submission.

Moodle is used to provide learners with ongoing access to module related information, from the handbooks and module outlines provided in advance of the module commencement, the lecture material and links to related resources provided on a scheduled basis in line with the module delivery.

6.1.5 Module content, organisation and structure

Law of Tort is a 15 ECTS credit module taught and assessed over one academic semester. The module is delivered over 24 lecture sessions of 4 hours duration for Full Time learners, 2 hours duration for Part Time learners and weekly pre-recorded lectures that will be supplemented with evening seminars and Live Days for the Blended learners.

The Learning Outcomes for this programme have been aligned with the knowledge, skills and competencies indicated as appropriate for Level 6 on the NFQ. They have been explicitly articulated using the Quality and Qualifications Ireland (QQI) Generic Awards Standards.

- Negligence including:
 - Duty of care;
 - Standards of care;
 - Causation and Remoteness;
 - Types of Damage including Nervous Shock and Economic Loss;
 - Proof of Negligence and *res ipsa loquitur*;
 - Defences including Contributory Negligence, Waiver and Illegality.

- Vicarious liability
- Employer's liability
- Nuisance
- Trespass to land
- Rule in *Rylands v Fletcher*
- Defamation

- Limitation of Actions
- Damages
- Liability for Defective Products
- Passing Off
- Occupier's Liability
- Trespass to the Person
- Medical Negligence
- Professional Negligence

6.1.6 Module teaching and learning (including formative assessment) strategy

The module is delivered using participative lectures, which consist of tutorial-style discussions, group work sessions and exercises. Formative assessment is provided through tutorial-style discussions, group work and exercises. These focus on specific case law and problem-based learning requiring learners to analyse the law and apply it to practical Tort Law disputes or issues. The lectures are supplemented by structured on-line resources and directed reading. Formative assessment is also provided in the form of interactive exercises such as directed class discussion topics and reference current affairs pertaining to Tort Law at the time of instruction.

Learners also engage in collaborative work in pairs or small groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the examination process they engage in the answering of sample examination questions and correction of their own or peers' papers, thereby familiarising themselves with the marking criteria.

Learners undertaking the course via blended learning benefit from varied and additional options for engagement to compensate their reduced attendance on campus. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including in-class presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

6.1.7 Work-based learning and practice-placement

Law of Tort is a class based 15 ECTS credit module and does not require work-based learning and practice placement.

6.1.8 E-learning

Moodle, the College Virtual Learning Environment is used to disseminate notes, advice, and online resources to support the learners. E-learning activities include learner feedback, forums where learners contribute, formative quizzes and video links. The learners will also have access to a number of other online resources through the library such as access to databases and research tools (Westlaw.ie, Westlaw.uk, JustisOne (vLex) and Hein Online) as well as access to online copies of books published from Bloomsbury Online.

6.1.9 Module physical resource requirements

Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There

are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in order to deliver or record lectures when the module is being delivered via the Blended Learning modality (options 1 and 2).

6.1.10 Reading lists and other information resources

Primary reading

- *McMahon, B.M.E. & Binchy, W. (2013) Irish Law of Torts. Dublin: Bloomsbury*
- *Quill, E. (2014) Torts in Ireland. Dublin: Gill Education*

Secondary reading

- *Cox, N. McCullough, E., (2022) Defamation, Law and Practice. Dublin: Clarus Press*
- *Tully, T, (2014) Tort Law in Ireland. Dublin: Clarus Press.*
- *Horsey, K. & Rackley, E. (2021) Tort Law. Oxford: OUP.*
- *Lunney, M. & Oliphant, K. (2023) Tort Law: Text and Materials. Oxford: OUP*
- *McMahon, B.M.E. & Binchy, W. (2005) Casebook of Irish Law of Torts. Dublin: Butterworths*
- *Healy, J. (2006) Principles of Irish Torts. Dublin: Clarus Press*
- *Peel, W. & Goudkamp, J. (2014) Winfield & Jolowicz on Tort. London: Sweet & Maxwell*

e-Resources

- *Bloomsbury Professional Online*
- *JustisOne – Vlex*
- *Westlaw.ie*
- *Westlaw UK*
- *Heinonline*
- *Griffith College Library Website*

6.1.11 Specifications for module staffing requirements

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

6.1.12 Module summative assessment strategy

Theoretical knowledge is assessed by both continuous assessment (40%) and a summative end of year examination (60%). The continuous assessment shall consist of a written assignment (40%). The examination will consist of both essay and problem style questions. Essay style questions will place emphasis on the demonstration of understanding pertaining to Tort Law. Problem Style questions will enable learners to apply the principles of Tort Law to a factual scenario.

The assessed work breakdown can be seen in the table below.

No.	Description	MIMLOs	Weighting
1	Assignment (2,500 words)	v, vii.	40%
2	Exam	i, ii, iii, iv, vi.	60%

Reassessment/Repeat assessment strategy: Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

6.1.13 Sample assessment materials

Please see sample assessment supplementary document.