

Module 4 Law of Torts

Stage	1						
Semester	2						
Module Title	Law of Torts						
Module Number	4						
Module Status	Mandatory						
Module ECTS Credits	5						
Module NFQ level	Level 7						
Pre-Requisite Module Titles	n/a						
Co-Requisite Module Titles	n/a						
Capstone Module?	No						
List of Module Teaching Personnel	John Eardly						
Contact Hours				Non-contact Hours			Total Effort (hours)
21				79			100
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
15		6				79	100
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution		40		60	100		

Intended Module Learning Outcomes

On successful completion of this module, the learner will be able to:

1. Explain the nature of a tort and define the characteristics of specific torts.
2. Define the different types of torts including negligence, defamation and Constitutional torts such as privacy.
3. Appraise the key elements of these torts.
4. Illustrate the remedies available in tort.
5. Define the different tests in Tort to deal with physical and psychiatric injuries.
6. Apply specific pieces of statute law that have updated and expanded on traditional tortious reliefs at common law: for example, the Defamation Act 2009 and the Occupiers' Liability
7. Assess factual scenarios and apply their understanding of Irish tort law to them.

Module Objectives

This module aims to:

- Introduce learners to the fundamental principles of tort law including Constitutional torts such as privacy.
- Provide learners with an understanding of general principles of negligence.
- Familiarise learners with some of the personal interests protected by the law of torts.
- Acquaint learners with the defences and remedies available to tort actions.
- Enable learners to apply tort law principles to different factual scenarios.

Module Curriculum

TOPIC	DESCRIPTION
Introduction to Tort.	Definition of a Tort; the function of the Law of Tort; Tort law contrasted with contract and criminal law; fault liability.
Negligence	The duty of care, the standard of care, causation, remoteness, <i>novus actus interveniens</i> , <i>res ipsa loquitur</i> , defences to negligence, pure economic loss, psychiatric damage, professional negligence, employer's liability and vicarious liability.
Defamation	Libel, slander, reputation, identification, innuendo, defences, Defamation Act 2009, reform, privacy.
Torts related to land	Trespass to land, Occupier's Liability, Nuisance, the Rule in <i>Rylands v Fletcher</i> .
Liability for Defective Products	The common law position, the Liability for Defective Products Act 1991, strict liability.
Limitation of Actions	Limitation periods generally, limitation periods for personal injuries actions, accrual of the cause of action and persons under disabilities.
Remedies	General Damages, special damages, aggravated damages and exemplary damages.

Reading lists and other learning materials

1. Griffith College manual, *Law of Torts* (Dublin: Clarus Press, updated annually)
2. McMahon & Binchy, *Irish Law of Torts*, (2013, Dublin; Butterworths);
3. Burke & Corbett, *The Law of Torts*, (2003, Dublin; Round Hall)
4. Healy, *Principles of Irish Tort Law*, (2006, Dublin; Clarus Press);
5. Lunney & Oliphant, *Tort Law: Text and Materials*, (2010, Oxford; Oxford University Press)
6. Quill, *Torts in Ireland*, (2009, Dublin; Gill and Macmillan)
7. McMahon & Binchy, *Casebook of Irish Law of Torts*, (2005, Dublin; Butterworths)
8. Rogers, *Winfield & Jolowicz on Tort*, (2010, London; Sweet & Maxwell)

Module Learning Environment

Accommodation

In line with other higher education awards offered by the College, the Special Purpose Diploma in Legal Studies and Practice, will provide reasonably comparable resources and accommodation requirements, all of which can be met by facilities on campus.

At the moment, a base classroom is used for teaching purposes at both the Dublin and Cork campuses. Participants also have access to online teaching resources and Moodle¹ and an e-learning studio. It is not proposed that these arrangements be changed as they are continuing to operate successfully.

In addition, all lectures are recorded and posted on the relevant Moodle page, providing students with the opportunity to watch lectures at a later date if they are unable to attend the lecture or wish to review the lecture.

Library

All learners have access to an extensive range of “actual” and “remote access” library resources. The library monitors and updates its resources on an ongoing basis, in line with the College’s Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all courses run by Griffith College.

Equipment, Information & Communication Technology

The College is already fully resourced with the necessary teaching equipment – such as a base class room fully equipped with PC, audio and visual presentation facilities and projectors.

Further resources such as video recording equipment are also available for use on the programme. Participants may also use the College’s other computer labs, open labs and the e-learning studio. The College’s IT Services Department and the Lecturer Support Unit also support this process by continually updating classrooms and PC labs. Proposals for the

¹ Moodle is Griffith College’s current Virtual Learning Environment (VLE)

acquisition of new technologies are made to the IT Services Department and to the Director of Academic Programmes, so that academic and technical issues are considered.

Extensive use is also made of the Moodle VLE for posting lecture notes and other relevant material used for study and revision. With the aid of data projectors, these can form the basis of lecture presentations.

Module Teaching and Learning Strategy

This module will be delivered through a series of lectures and tutorials.

This module comprises of twenty-one contact hours, being fifteen lecture hours, five tutorial hours and one revision/exam preparation class.

Each class will comprise three hours of lectures and a one-hour tutorial.

Tutorials will comprise the review of past exam papers, class discussions, group work sessions and exercises.

Lectures and tutorials will be supplemented by structured web-based resources and reading.

Module Assessment Strategy

Theoretical knowledge will be assessed at the end of the module by examination (60%), the purpose of which is to enable learners to become accustomed to undertaking extended examinations which are a traditional method of assessment commonly used in law-based degrees on the National Framework of Qualifications and in the sphere of professional legal training. The examination will consist of a mixture of essay style questions, which place emphasis on the learners demonstrating academic legal knowledge as well as discursive legal writing skills, and problem style questions which assess the learner's ability to apply the law to practical factual scenarios. Formative assessment will be provided in the form of interactive exercises such as mini quizzes or directed class discussion topics.

The examination will be supplemented by an Assignment worth 40% of the overall grade enabling learners to utilise their learning from class based work and to develop their legal research, problem solving, independent learning, initiative skills and professional analytical capacity. The Assignment focuses on a matter of practical importance in the field of Irish Tort Law.