

Module 3: Law of Tort

Stage		1					
Semester		1 & 2					
Module Title		LLBH- LT					
Module Number		3					
Module Status		Mandatory					
Module ECTS Credits		15					
Module NFQ level		6					
Pre-Requisite Module Titles		None					
Co-Requisite Module Titles		None					
Capstone Module?		No					
List of Module Teaching Personnel		Dr Claire O'Connor					
Contact Hours				Non-contact Hours			Total Effort (hours)
96 (72) ³				204 (228)			300
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
72 (48)			24	30		174 (198)	300
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination			Total
Percentage Contribution	50			50			100

Intended Module Learning Outcomes

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

1. Identify the origins and functions of tort law
2. Demonstrate a specialised knowledge of the fundamental doctrines and principles of the law of torts and the characteristics of specific torts
3. Demonstrate an understanding of the inter-relationship between tort and the other branches of law particularly contract and constitutional law
4. Demonstrate a foundation knowledge of the remedies available in tort and the legal underpinnings behind them
5. Research legal problems using both hard copy sources and online legal databases.

³ Part time hours shown in brackets where different from full time hours

6. Apply basic tort law principles to practical, abstract factual situations arising in a legal context
7. Engage in basic legal reasoning and predictive analysis demonstrating knowledge of the principles of tort law

Module Objectives

1. To introduce learners to the fundamental principles of tort law.
2. To provide learners with an understanding of general principles of negligence.
3. To familiarise learners with the personal interests protected by the law of torts.
4. To introduce learners to the defences and remedies available to tort actions.
5. To enable learners to apply tort law principles to different factual scenarios.

Module Curriculum

- Negligence including:
 - Duty of care
 - Standards of care
 - Causation and Remoteness
 - Type of Damage including Nervous Shock and Economic Loss
 - Proof of Negligence & *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

Reading lists and other learning materials

Primary Reading:

McMahon, B.M.E. & Binchy, W. (2013) *Irish Law of Torts*. Dublin: Bloomsbury
Quill, E. (2009) *Torts in Ireland*. Dublin: Gill and Macmillan

Secondary Reading:

Corbett, V. (2009) *Tort*. Dublin: Round Hall

Healy, J. (2006) *Principles of Irish Torts*. Dublin: Clarus Press

Lunney, M. & Oliphant, K. (2013) *Tort Law: Text and Materials*. Oxford: OUP

McMahon, B.M.E. & Binchy, W. (2005) *Casebook of Irish Law of Torts*. Dublin: Butterworths

Rogers, W. V. H. (2010) *Winfield & Jolowicz on Tort*. London: Sweet & Maxwell

Module Learning Environment

Accommodation

Lectures and workshops take place in a classroom setting. Participants also have access to online teaching resources and Moodle

Library

All learners have access to an extensive range of “physical” and “remote access” library resources. The library monitors and updates its resources on an on-going basis, in line with the College’s Library Acquisition Policy. Lecturers collaborate with the library in updating reading lists for this course on an annual basis as is the norm with all programmes run by Griffith College.

Module Teaching and Learning Strategy

This module is delivered through a series of lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and reading. The final two lectures consist of workshops seeking to directly enforce the module learning outcomes by engagement of practical application of the law of tort to factual scenarios.

Learners also engage in collaborative work in pairs or groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the exam process they engage in the answering of sample exam questions and correction of their own or peers’ papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities whereby they draft their own exam question in order to recap and reconsolidate a particular topic.

Module Assessment Strategy

Theoretical knowledge is assessed through submission of a written assignment worth 40% and by an end of module examination worth 60% of the total marks in this subject.

Element No.	Weighting	Type	Description	Module Learning outcomes
1	50%	Assignment	Learners are required to produce a report/write an essay on a particular problem/scenario of the Law of Tort. This involves an element of legal research and legal reasoning.	5& 7
2	50%	Exam	The examination consists of a choice of both essay and problem style questions. Essay style questions place emphasis on the learners' demonstrating their understanding of the fundamental principles of tort law, negligence and other basic torts along with some of the personal interests protected by the law of torts, thereby assessing learning outcomes 1, 2, 3 and 4. Problem style questions enable learners to apply principles of tort law to a factual scenario, thereby assessing learning outcomes 5 and 6. Formative assessment is 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.	1-4 &6

Sample Assessment with Rubrics - see Annex 2