

Module 3: Law of Tort

Module	Law of Tort
Course code	LLBH-LT
Credits	15
Important notes	Available for year abroad students only
Allocation of marks	40% continuous assessment 60% final examination

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.
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 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.