

Module Title:	Tort Law 2
Language of Instruction:	English
Credits:	10
NFQ Level:	8
Module Delivered In	4 programme(s)
Teaching & Learning Strategies:	Lectures - communication of knowledge and ideas from the lecturer to the student. Problem Solving Exercises - students will work as part of a team and will work together to resolve various legal scenarios. Class Discussion/Debate - Students will be encouraged to actively participate in the class sessions which will develop their analytical and communication skills. E-Learning - It is envisaged that the module will be supported by online learning materials. Self-Direct Independent Learning - the emphasis on independent learning will develop strong and autonomous work and learning practices.
Module Aim:	To provide students with a comprehensive understanding of the general principles of tort law by examining the various forms of liability attaching to the main torts; the principles upon which liability is based in such areas as negligence, nuisance, liability for escapes, trespass and defamation; the relationship between common law, legislation and judicial policy. This module also aims to contribute to the development of the student's skills in legal analysis and problem-solving as well as research and reasoning skills.
Learning Outcomes	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Solve legal problems by analysing factual situations and identifying and applying the relevant law in order to produce reasoned solutions.
LO2	Explain the role of tort law in addressing the requirements of public policy and issues of personal responsibility.
LO3	Demonstrate understanding of both general and specific defences and the remedies available in an action in tort law.
LO4	Critically evaluate existing tort law in order to produce convincing arguments for reform.
Pre-requisite learning	
Module Recommendations <i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>	
No recommendations listed	
Incompatible Modules <i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>	
No incompatible modules listed	
Co-requisite Modules	
No Co-requisite modules listed	
Requirements <i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i>	
No requirements listed	

Module Content & Assessment

Indicative Content				
Trespass Introduction • General Characteristics • Trespass to the Person • Trespass to land • Trespass to chattels • Defences				
Nuisance Introduction • Private nuisance • Public Nuisance • Defences				
Strict Duties Introduction • Rylands v Fletcher • Duty in relation to ultra-hazardous activities				
Economic Torts Introduction • Deceit • Injurious Falsehood • Passing Off • Interference with Economic Relations • Other torts – conspiracy, intimidation, interference with contractual relations, detainee, conversion, breach of confidence				
Defamation Introduction • Elements of a cause of action • The Common Law rules • The Defamation Act 2009 • Defences				
Emerging Causes of Action Introduction • Interference with Constitutional Rights • Breach of EU Law • Non-contractual liability in EU law				
Miscellaneous Torts Abuse of Process • Interference with Domestic Relations • Liability in respect of fire • Liability in respect of animals • Actions on the case • Innominate torts				
Defences, Proofs and Limitations Defences – contributory negligence, consent or waiver • Proof – burden and standard of proof, res ipsa loquitur, types of evidence, appealing findings of fact • Limitation of actions				
Parties to Tort Actions Introduction • The State • Foreign States • The EU • Associations • Minors • Mentally Disabled persons • Concurrent Wrongdoers • Personal Representatives • Relatives				
Responsibility for Others Introduction • Vicarious Liability • non-delegable duties • Duties of Control				
Remedies Introduction • Damages – categories of damages and quantum • Fatal Injuries and Death • Injunctions – quia timet, mandatory, prohibitory, interim, interlocutory and perpetual injunctions • Self-help • Alternative Dispute resolution • Injuriesboard.ie				
Assessment Breakdown				%
End of Module Formal Examination				100.00%
No Continuous Assessment				
No Project				
No Practical				
End of Module Formal Examination				
Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Formal Exam	n/a	1,2,3,4	100.00	End-of-Semester

SETU Carlow Campus reserves the right to alter the nature and timings of assessment

Module Workload

Workload: Full Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	3.00
Independent Learning Time	Every Week	14.00
Total Hours		17.00

Workload: Part Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	1.50
Total Hours		1.50

Module Delivered In

Programme Code	Programme	Semester	Delivery
CW_BBLAW_B	Bachelor of Business (Honours) in Business with Law	4	Mandatory
CW_BBLEG_C_1	Higher Certificate in Arts in Legal Studies	4	Mandatory
CW_BBLAW_C	Higher Certificate in Business with Law	4	Mandatory
CW_HHLAW_B OLD	Honours Bachelor of Laws Degree - LLB	2	Mandatory