1. **Title of the module**

LAWS6520 (LW652) Advanced Topics in Tort Law

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 6

1. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring term

1. **Prerequisite and co-requisite modules**

Prerequisites: LAWS3150 Introduction to Obligations and either LAWS5970 Law of Obligations or LAWS6510 Law of Tort

1. **The programmes of study to which the module contributes**

All single and joint honours Law programmes

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Demonstrate a detailed understanding of currently contentious areas of tort law.
   2. Demonstrate a thorough understanding of differing views on, and interpretations of, the adequacy of particular aspects of the law of tort as a vehicle for redress.
   3. Demonstrate a critical awareness of historical and contemporary theoretical and policy problems in tort law.
   4. Critically analyse and evaluate tort law’s role in modern society.
   5. Use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to engage with questions of policy, regulation and change.
   6. Use non-legal materials to evaluate areas of the law of tort in terms of its consequences and theoretical coherence.
   7. Show an understanding and appreciation of the influence of various torts as they arise and operate within complex historical and political conditions.
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
3. Present relevant knowledge and understanding in the form of reasoned argument.
4. Identify and evaluate contemporary legal and policy problems/areas of discord according to historical, socio-political and socio-legal contexts.
5. Use library and web resources, including journal articles and policy documents, to conduct complex research.
6. Properly present material with correct citation and use of references where appropriate
7. Distinguish soundly-based knowledge and evidenced claims from unfounded assertions and to use evidence to support their own assertions and arguments
8. **A synopsis of the curriculum**

The module will assume prior knowledge and understanding of the foundational levels of tort law taught in LAWS3150 and LAWS5970/LAWS6510. In the module, students will focus on contentious areas of tort law from a critical perspective. They will look at areas such as those in the following (not exhaustive or all-inclusive) list: reproductive harms, wrongful birth/life, ‘toxic torts’ and developments in the law on causation, invasion of privacy and/or autonomy, feminist perspectives/critiques on torts, negligent policing (and of other public bodies), tort law and human rights, access to justice, conceptions of justice in/philosophy of tort. Teaching of these areas may be undertaken by ‘experts’ in a particular topic, so the availability of each topic may vary on an annual basis to account for e.g. periods of study leave.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

* Cane, P., *Atiyah’s Accidents, Compensation and the Law* (CUP, 2013 or later edition if published)
* Conaghan, J. and Mansell, W., *The Wrongs of Tort* (2nd ed.) (Pluto Press, 1998)
* Cranor, C.F., *Toxic Torts: Science, Law, and the Possibility of Justice* (Cambridge, 2008)
* Greene, S., *Causation in Negligence* (Hart Publishing, 2016)
* McIvor, C., *Third Party Liability in Tort* (Hart Publishing, 2006)
* Oberdiek, J., *Philosophical Foundations of the Law of Torts* (OUP, 2014)
* Priaulx, N., *Beyond the Negligence Paradigm: Developing a Regulatory Ergonomic Approach to Error and Injury* (forthcoming 2017)
* Priaulx, N., *The Harm Paradox: Tort Law and the Unwanted Child in an Era of Choice* (Routledge-Cavendish, 2007).
* Rackley, E. and Richardson, J., *Feminist Perspectives on Tort* (Routledge-Cavendish, 2012)
* Teff, H., *Causing Psychiatric and Emotional Harm: Reshaping the Boundaries of Legal Liability* (Hart Publishing, 2008)
* Turton, G., *Evidential Uncertainty in Causation in Negligence* (Bloomsbury, 2016)
* Wright, J., *Tort Law and Human Rights* (2nd ed.) (Hart Publishing, 2017)

1. **Learning and teaching methods**

Contact hours: 20

Private study hours: 130

Total study hours: 150

1. **Assessment methods.**
   1. Main assessment methods

Written essay (2500 words) (50%)Examination, 2-hour unseen (50%)

13.2 Reassessment methods

Like-for-like

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |  |  |
| Seminars/workshops | X | X | X | X | X | X | X | X | X |  |  | X |
| Private study | X | X | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |  |
| Essay (50%) | X | X | X | X | X | X | X | X | X | X | X | X |
| Exam (50%) | X | X | X | X | X | X | X | X | X | X | X | X |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, the seminar/workshops will not be recorded as they are heavily discussion based and may contain sensitive material.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b(1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

There will be some comparative material included in this module, for example in being able to critique the way has developed in this country we may look at what happens in other jurisdictions.

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
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