

GCE

LAW:
Rules and theory on the law of tort

SUGGESTED IDEAS FOR
TEACHING AND LEARNING



Teacher /Lecturer:	
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Course:	A Level Law
Topic:	Rules and theory on the law of tort
Session:	

Component:	Component 2 and 3
Ref. to specification:	The law of tort
Suggested time allocation:	2-3 hours

Aims & Objectives: At the end of these sessions the student will be able to:

- **Describe** the meaning of tort and the term 'tortfeasor'
- **Outline** the origins of the law of tort
- **Identify** different torts
- **Explain** the purpose of tort
- **Explain** the difference between fault liability and strict liability
- **Explain** the justification for a tort system (including reasons of economics, corrective justice and retributive justice)
- **Explain** criticisms of the tort system.

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Introduce the topic with reference to the aims and objectives set out above and with reference to the basic definition and semantics of the word 'tort'.
 - Discuss the historical origins of the law of tort.
- Storyboard Activity:** Using the key historical events, create a Storyboard using mainly pictures and few words to explain the historical origins of the law of tort.
- The purpose of the law of tort is to focus on compensation of individuals in situations *where their private individual interests have been infringed*.
- Activity – Class Discussion:** When might your private individual interests be infringed in the scenarios listed in the PowerPoint. Answers are provided on the following slide.
- Research Activity:** Use a textbook, legal dictionary or an electronic device to find out the meaning of the following torts: Private nuisance, Defamation, False imprisonment, Trespass to land and Trespass to the person.
- Explain the differences between fault liability v strict liability in tort. In most torts, fault must be shown for the defendant to be held liable.
- Activity – Class Discussion –** look at scenario on PowerPoint about riding a bike and being hit by a car. Discuss the various questions in the PowerPoint in terms of where fault lies and whether the claimant has a case to claim for compensation.
- This will then lead onto a discussion about corrective justice and retributive justice and the differences between them.
- Activity – Class Discussion –** what do you see as the advantages and disadvantages of the tort system? This will then lead on to an essay plan on the justification of the tort system and the criticisms of the tort system.

Activity: Research Exercise: Learners should use YouTube to see if they can find any films of persons caught by a 'dash cam' or a supermarket security camera trying to fake an accident and attempt an insurance scam.

Student Activities:

- Group work – thoughts about when tort can affect a person's everyday life.
- Group discussion – what are the advantages and disadvantages and therefore the justification and criticisms of the tort system?
- Create a glossary of key terms with a view to adding to these as the topic progresses.
- Textbook, internet resources to find definitions of key terms.

Suggested links / resources:

- PowerPoint presentation
- Teacher Guide
- YouTube videos.

Assessment of Learning

During the lesson

Group exercises and direct questioning show how much the students have understood on the background to tort law and the different categories of tort.
Facilitate discussion on whether a system of tort is a good idea.

Subsequent to lesson