

LAW241.003 – Torts (2022-23)

Course Instructor

[Assistant Professor Samuel Beswick](#)

Course Description

This course provides an introduction to tort law: the law that recognises and responds to civil wrongdoing. In the Autumn term we address intentional and dignitary torts as well as the overarching theories and goals of tort law. In the Spring term we address the law of no-fault compensation schemes, negligence and strict liability.

Learning Objectives

- Identify and demonstrate fundamental techniques of Canadian common law analysis and reasoning.
- Situate torts within the broader legal system.
- Employ legal analysis techniques, such as issue-spotting, issue-sorting, and the IRAC structure.
- Understand and assess different theories, approaches, and goals of tort law.

Materials

Course webpage: <https://blogs.ubc.ca/beswick/torts/>.

The **required casebook** is S. Beswick (ed), *Tort Law: Cases and Commentaries* (2nd edn, CanLII, 2022), available at <https://canlii.ca/t/t9st>. Printed bound copies should be purchased from the Bookstore: [https://the.bookstore.ubc.ca/CourseSearch/?course\[\]=UBC,2022W1,LAW,LAW%20241,004](https://the.bookstore.ubc.ca/CourseSearch/?course[]=UBC,2022W1,LAW,LAW%20241,004).

You might also like to consult the **optional reference reading** listed on **page ii** of the casebook, some of which are in the [Canvas files folder](#).

You may complete in your own time **multiple-choice quizzes and exam practice exercises** based on the casebook content by visiting <https://blogs.ubc.ca/beswick/torts-quizzes/>.

Syllabus

The Syllabus is available in [the Files tab](#) for this course on Canvas. **Please read it.**

Office Hours

Group office hours are held Thursdays 2:30–3:30pm in Room 444 + via [Zoom](#).

Schedule of Topics and Readings

Below is the anticipated course timetable. While we will stick to the order outlined, the dates we will discuss each topic are an estimate only and may change depending upon the pace of our class.

Term 1 (Autumn):

| Dates | On-call team | Anticipated casebook sections and topics |
|-------------|------------------------------|--|
| Sep 6 & 8 | – | Tue: nil Thur: §1.1.1 - §1.3.2 Introduction |
| Sep 13 & 15 | Blazers | Tue: §1.3.3 - §1.4.4 Thur: §2.1.1 - §2.2.1 Introduction Intention; battery |
| Sep 20 & 22 | Canucks | Tue: §2.2.2 - §2.2.3 Thur: 2.2.4- §2.3.1 Battery; assault |
| Sep 27 & 29 | Clippers | Tue: §2.3.2 - §2.4.1 Thur: No class: Asynchronous practice exercise Assault; false imprisonment |
| Oct 4 & 6 | Giants | Tue: §2.4.2 - §2.4.5 Thur: §3.1.1 - §3.1.2 False imprisonment [quiz] Mental suffering |
| Oct 11 & 13 | Ice | Tue: §3.2.1 - §3.2.2 Thur: §3.2.3 - §4.1.1 Mental suffering [quiz]; privacy |
| Oct 18 & 20 | Rockets | Tue: §4.1.1 - §4.1.2 Thur: §4.2.1 - §4.3.3 Privacy [quiz] |
| Oct 25 & 27 | Royals | Tue: §5.2.1 - §5.2.3 Thur: §5.2.4, in-class question exercise Harassment (<i>question exercise</i>) |

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| Nov 1 & 3 | Vees | Tue: §6.1 - §6.2.4.1 Thur: §6.3.1, §6.3.1.2 - §6.3.2.2 | Defences – non-defences Defences – consent |
| Nov 8 | Clippers | Tue: §6.6.1 - §6.6.2, §6.6.4 - §6.6.9.1 | Defences – legal authority |
| Nov 15 & 17 | Vipers | Tue: §6.7.1 - §6.7.6, blog Thur: §7.1.1 - §7.1.3, §7.2 - §7.2.2 | Defences – limitation [quiz] Real property [quiz] |
| Nov 22 & 24 | – | Tue: §9.1 - §9.2.1, §9.2.4, §9.3.1 - §9.3.2, §9.3.5 - §9.3.9, §9.4.1, §9.5.2 Thur: §10.1.1 - §10.1.5 | Remedies (I) [quiz] Tort theory [quiz] |
| Nov 29 & Dec 1 | – | Tue: §11.1.3 Q4 Thur: §11.1.2 | Review; exam preparation |
| Dec 16 | | | Mid-year exam |

Term 2 (Spring):

| Dates | On-call team | Anticipated casebook sections and topics |
|-------------|------------------------------|---|
| Jan 10 & 12 | – | Tue: §12 - §12.1.4 Thur: §12.2.1 - §12.4.1 No-fault schemes |
| Jan 17 & 19 | Blazers | Tue: §13.1.1 - §13.1.3 Thur: §13.1.4 - §13.1.5 Development of the tort of negligence |
| Jan 24 & 26 | Canucks | Tue: §13.1.6 - §13.3.1, §13.3.3 - §13.3.5 Misfeasance versus nonfeasance; Rescuers Novel duties of care |

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| | | Thur: §13.4.1.1 - §13.4.1.2 | |
| Jan 31 & Feb 2 | Clippers | Tue: §13.4.2.1 - §13.4.2.2 Thur: §13.4.2.3 | Novel duties of care [quiz] |
| Feb 7 & 9 | Giants | Tue: §14.1 - §14.1.1.3 Thur: §14.1.2.1 - §14.1.3.2, §14.1.3.4, §14.1.4.1 | Breach of duty of care |
| Feb 14 & 16 | Ice | Tue: §14.2 - §14.2.3.1, §14.2.4.1 - §14.2.5.1, §14.2.5.3, §14.2.6.1 - §14.2.6.2 | Breach of duty of care [quiz] Damage; Causation |
| Mar Feb 28 & Mar 2 | Rockets | Thur: §15.1 - §16.1.3 Tue: §17 - §17.1.4, §17.3, §17.4 - 17.5.1, §17.5.3 | Remoteness [quiz] Defences (II) [quiz] |
| Mar 7 & 9 | Royals | Thur: §18.1 - §18.1.1.1, §18.1.2 - §18.2.5 Tue: §20.1.1 ¶44 only, §20.2, §20.4.1 - §20.4.4, §20.7.1 - §20.7.3 | Remedies (II) [quiz] Negligent misrepresentation |
| Mar 14 & 16 | Veas | Thur: §19.2.1 - §19.2.3 Tue: §19.3.1 - §19.3.2 | Pure economic loss [quiz] |
| Mar 21 & 23 | Vipers | Thur: §19.9.1 - §19.9.2, Devi's Dance exercise | Commercial and social hosts (problem exercise) Public authorities: emergency services Public authorities: government services |

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| | | Thur: §19.5.2.1 - §19.5.2.2 | |
| | | Tue: §22 - §22.1.2, Why Care about Fault? exercise | |
| Mar 28 & 30 | – | Thur: §23.1 - §23.1.3, §23.1.5 - §23.1.7, §23.2.1 - §23.2.2, §23.2.4.1 | <i>Rylands v. Fletcher</i> Liability (essay exercise) [quiz] Vicarious Liability [quiz] |
| Apr 4 & 6 | – | Tue: §10.1.1 - §10.1.5, §11.1.3 Q3 | Review; tort theory; exam essay question preparation |
| | | Thur: §25.1.1 Q1 | Exam problem question preparation |
| Apr 11 | – | Tue: §25.1.1 | Exam preparation |

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