



# The Islamia University of Bahawalpur

## DEPARTMENT OF LAW

☎ 062-9250261

✉ [law@iub.edu.pk](mailto:law@iub.edu.pk)

### Tentative Course Plan (Spring Semester 2020)

<b>Program:</b>	<b>LL. B (5 years) Programme</b>	<b>Semester:</b>	<b>2nd.</b>
<b>Instructor:</b>	<b>Amjad Hussain</b> <b>LL. M (Distinction), LL. B (Gold Medalist),</b> <b>MA (Islamic Studies)</b> <b>Assistant Professor,</b> <b>Department of Law, I.U.B.</b> ☎ 0321-6821819 ✉ <a href="mailto:ahpanwar@iub.edu.pk">ahpanwar@iub.edu.pk</a>	<b>Shift:</b>	<b>Morning</b>
		<b>Session:</b>	<b>2019-24</b>
		<b>Intake:</b>	<b>Fall 2019</b>
		<b>Course Code:</b>	<b>LAWS-02206</b>
		<b>Credit Hours:</b>	<b>Three (03)</b>
<b>Course Title:</b>	<b>Law of Torts – I</b>	<b>Nature of Course:</b>	<b>Core</b>
<b>Lecture Days:</b>		<b>Room No.</b>	

#### Introduction:

This course is designed for the students of 2<sup>nd</sup> Semester to give them basic understanding of the core concepts of the Law of Torts to enable them to survey and examine the doctrinal elements surrounding each tort, to critically analyze the sociological issues and developments relating to tort liability, to get a comparative and case-law based understanding of the law relating to torts as it applies to many common situations in the Pakistan as well as in the rest of the world and to get the students equipped with the fundamental principles of tort law and to apply their critical insights to the given facts in the socio-legal context of Pakistan. The future lawyers will be trained to earn the ability to address the civil wrongs through compensatory measures.

#### Aims and Objectives:

The aims of this course are:

- to give the student a basic understanding of the core principles of the Law of Torts.
- to enable the students to understand the prevailing legal environment & the scope of tort law.
- to give the students awareness about wrongs/violations in the society on one side and to provide an understanding how to redress such wrongs by choosing appropriate remedies like damages, injunctions, etc. on the other.
- to provide future lawyers a greater knowledge and understanding based on comparative study mostly grounded on case law from USA, UK, India and Pakistan.
- to train the students how to find the relevant case law.
- to promote the study of the law of torts and to educate the society to avail the remedies based on pecuniary compensation for violation of the legal rights.
- to make the students think critically.

#### Learning Outcomes:

After completing this course, the law students would have grip over the core tort law concepts which would enable them to work as smart lawyers in future. Among others they would be able to:

- analyze social activities in compatibility with the concerned legal rules.
- identify the fundamental legal principles relevant to certain acts and omissions.
- identify and explain the legal consequences of different acts and omissions.
- interpret the relevant principles of the tort law in particular and others in general.
- acquire problem solving techniques and to be able to present coherent, concise legal argument.
- avoid doing wrongful acts and become sensible citizens.
- develop independent research skills.

#### Methods of Teaching: (subject to availability of resources)

- |                                 |                             |                   |
|---------------------------------|-----------------------------|-------------------|
| ▪ Lectures                      | ▪ Readings                  | ▪ Case Law Study  |
| ▪ Group Activities & Discussion | ▪ Multimedia aided Lectures | ▪ Tests & Quizzes |
| ▪ Student Directed Teaching     | ▪ Web assisted Instructions | ▪ Seminars        |
| ▪ Workshops                     | ▪ Courts Visits             | ▪ Assignments     |

## The Law of Torts-I

<b>R E S O U R C E  M A T E R I A L S</b>	<b>Prescribed Books:</b> Brennan, C. (2015). <u>Tort Law Concentrate</u> . 3 <sup>rd</sup> Ed. OUP: Oxford. Bussani, M. and A. J. Sebok (2017). <u>Comparative Tort Law</u> . Edward Elgar Publishing. Christie, C.G., et al. (2019). <u>Cases and Materials on the Law of Torts</u> . West Academic. Davies, T.H. and Tamblyn, N. (2019). <u>Tort Law</u> . Routledge. Dyson, M. (2015). <u>Comparing Tort and Crime: Learning from across and...</u> CUP: Cambridge. Deakin, S., et al. (2019). <u>Markesinis and Deakin's Tort Law</u> . 8 <sup>th</sup> Ed. OUP: Oxford. Greene, B. (2017). <u>Optimize Tort Law</u> . Illustrated Ed. Taylor & Francis. Horsey, K. and E. Rackley (2019). <u>Kidner's Casebook on Torts</u> , 15 <sup>th</sup> Ed. OUP: Oxford. Horsey, K. and E. Rackley (2015). <u>Tort Law</u> , 4 <sup>th</sup> Ed. OUP: Oxford. Mulheron, R. (2017). <u>Principles of Tort Law</u> , Bloomsbury Publishing PLC. Oughton, D. and B. Harvey (2015). <u>Law of Torts</u> , 8 <sup>th</sup> Ed. OUP: Oxford. Singh, J. G. P. & Sapre, A. (2019). <u>The Law of Torts</u> , 28 <sup>th</sup> Ed. LexisNexis: Butterworth.
	<b>Dictionaries &amp; Encyclopedias:</b> Gifis, S.H. (2016). <u>Dictionary of Legal Terms</u> ..... 5 <sup>th</sup> Ed. Barron's Educational Series. Garner, B.A. (2019). <u>Black's Law Dictionary</u> . 11 <sup>th</sup> Ed. Thomson Reuters. Halsbury, L., et al. (2019). <u>Halsbury's Laws of England</u> . 5 <sup>th</sup> Ed. LexisNexis: Butterworth. Hey, D. (2019). <u>Words and Phrases Legally Defined</u> . 5 <sup>th</sup> Ed. LexisNexis: Butterworth. Law, J. (2018). <u>The Oxford Dictionary of Law</u> , 9 <sup>th</sup> (Revised) Ed. OUP: Oxford. Woodley, M. (2013). <u>Osborn's Concise Law Dictionary</u> , 12 <sup>th</sup> Revised Ed. Sweet & Maxwell.
	<b>Case Law Journals available at the Law Library of the IUB:</b> All India Reports (AIR) Annual Law Digest (ALD) Civil Law Cases (CLC) Monthly Law Digest (MLD) National Law Reports (NLR) Pakistan Law Journal (PLJ) Pakistan Criminal Law Journal (P Cr L J) Pakistan Legal Decisions (PLD) Supreme Court Monthly Review (SCMR)
	<b>Case Law available Online:</b> <a href="http://www.pljlawsite.com/">http://www.pljlawsite.com/</a> (Pakistani case law, accessible on payment) <a href="http://www.pakistanlawsite.com/">http://www.pakistanlawsite.com/</a> (Pakistani case law, accessible on payment) <a href="http://www.indiankanoon.org/">http://www.indiankanoon.org/</a> (Indian case law, free access) <a href="http://www.bailii.org/">http://www.bailii.org/</a> (UK case law, free access) <a href="http://www.findlaw.com/">http://www.findlaw.com/</a> (USA case law detailed, free access) <a href="http://www.oyez.org/cases/">http://www.oyez.org/cases/</a> (USA case law short, free access)
<b>Help Hours</b>	<b>Web Resources:</b> <a href="http://books.google.com/">http://books.google.com/</a> <a href="http://scholar.google.com.pk/">http://scholar.google.com.pk/</a> <a href="http://www.e-lawresources.co.uk/">http://www.e-lawresources.co.uk/</a> <a href="http://www.pljlawsite.com/articles.asp">http://www.pljlawsite.com/articles.asp</a> <a href="http://www.iub.edu.pk/dil.php">http://www.iub.edu.pk/dil.php</a> (HEC Digital Library, accessible only in IUB) <a href="http://lawbore.net/">http://lawbore.net/</a> <a href="http://www.lexisnexis.com/">http://www.lexisnexis.com/</a> (accessible on payment) <a href="http://www.pakistanlawyer.com/">http://www.pakistanlawyer.com/</a> <a href="http://www.allpklaws.com/index.php/laws/law-books/bare-acts-alphabetical-order">http://www.allpklaws.com/index.php/laws/law-books/bare-acts-alphabetical-order</a>
	The students are advised to ask questions during/after the lecture. However, the student(s) may also visit the office of the instructor till 5:00 PM for any guidance regarding any academic question(s).

## The Law of Torts-I

<b>Lectures &amp; Activities</b>	<b>Activities / Topics (outline of main topics and sub-topics)</b>	<b>Proposed Dates</b>
<b>01-01</b>	<b>Orientation/Introduction (Distribution of Course Outline)</b>	<b>Week 01</b>
<b>02-03</b>	<b>Law of Torts:</b> ⇒ <b>The concept of Rights and Duties/Obligations</b> ⇒ <b>The concept of Wrongs and Liabilities</b> ⇒ <b>Case Law</b>	<b>Week 01</b>
<b>04-05</b>	<b>Law of Torts:</b> ⇒ <b>What is a Tort?</b> ⇒ <b>Essentials of a Tort</b> <ul style="list-style-type: none"> <li>▪ <b>Existence of Duty</b></li> <li>▪ <b>Breach of Duty</b></li> <li>▪ <b>Consequential Damage/Loss</b></li> </ul> ⇒ <b>Case Law</b>	<b>Week 02</b>
<b>06-06</b>	<b>Students would be taught to find resources in the IUB Law Library.</b>	<b>Week 02</b>
<b>07-08</b>	<b>Law of Torts:</b> ⇒ <b>The scope of law of tort</b> ⇒ <b>Different types/kinds of torts</b> ⇒ <b>Case Law</b>	<b>Week 03</b>
<b>09-09</b>	<b>Students would be taught to find and use online law resources.</b>	<b>Week 03</b>
<b>10-12</b>	<b>Law of Torts:</b> ⇒ <b>Distinction between Tort and Crime</b> ⇒ <b>Distinction between Tort and Breach of Contract</b> ⇒ <b>Case Law</b>	<b>Week 04</b>
<b>13-15</b>	<b>Law of Torts:</b> ⇒ <b>Role/Relevance of Malice</b> ⇒ <b>Role/Relevance of Motive</b> ⇒ <b>Role/Relevance of Intention</b> ⇒ <b>Case Law</b>	<b>Week 05</b>
<b>16-18</b>	<b>Legal Capacity:</b> ⇒ <b>Who can sue?</b> ⇒ <b>Who cannot sue?</b> ⇒ <b>Case Law</b>	<b>Week 06</b>
<b>19-21</b>	<b>Legal Capacity:</b> ⇒ <b>Who can be sued?</b> ⇒ <b>Who cannot be sued?</b> ⇒ <b>Case Law</b>	<b>Week 07</b>
<b>22-22</b>	<b>Remedies in tort cases:</b> ⇒ <b>Judicial &amp; Extra-Judicial Remedies</b> ⇒ <b>Damages and its kinds</b> ⇒ <b>Case law</b>	<b>Week 08</b>
<b>23-23</b>	<b>Group Discussion</b>	<b>Week 08</b>
<b>24-24</b>	<b>Quiz / Test</b>	<b>Week 08</b>
	<b>MID Term Examinations</b>	<b>Week 09</b>

## The Law of Torts-I

<b>Lectures &amp; Activities</b>	<b>Activities / Topics (outline of main topics and sub-topics)</b>	<b>Proposed Dates</b>
<b>25-27</b>	<b>Remedies in tort cases:</b> <ul style="list-style-type: none"> <li>⇒ <b>Mitigating Factors (which reduce the tortious liability)</b></li> <li>⇒ <b>Remoteness of damage</b></li> <li>⇒ <b>Assessment of the amount of damages</b></li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 10</b>
<b>28-30</b>	<b>Discharge of Torts:</b> <ul style="list-style-type: none"> <li>⇒ <b>By Death</b> <ul style="list-style-type: none"> <li>○ <b>Common Law on the point</b></li> <li>○ <b>Developments through Statutes</b></li> </ul> </li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 11</b>
<b>31-33</b>	<b>Discharge of Torts:</b> <ul style="list-style-type: none"> <li>⇒ <b>By other ways</b></li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 12</b>
<b>34-36</b>	<b>Vicarious Liability:</b> <ul style="list-style-type: none"> <li>⇒ <b>Introduction</b></li> <li>⇒ <b>Master and Servant Relationship</b></li> <li>⇒ <b>Other Relationships</b></li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 13</b>
<b>37-39</b>	<b>Trespass to Person: Assault, Battery &amp; Mayhem</b> <ul style="list-style-type: none"> <li>⇒ <b>Definition</b></li> <li>⇒ <b>Essentials</b></li> <li>⇒ <b>Defenses</b></li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 14</b>
<b>40-42</b>	<b>Trespass to Person: Assault, Battery &amp; Mayhem</b> <ul style="list-style-type: none"> <li>⇒ <b>Definition</b></li> <li>⇒ <b>Essentials</b></li> <li>⇒ <b>Defenses</b></li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 15</b>
<b>43-45</b>	<b>Trespass to land:</b> <ul style="list-style-type: none"> <li>⇒ <b>Introduction</b></li> <li>⇒ <b>Kinds</b></li> <li>⇒ <b>Defenses</b></li> <li>⇒ <b>Case law</b></li> </ul>	<b>Week 16</b>
<b>46-46</b>	<b>Group Discussion</b>	<b>Week 17</b>
<b>47-47</b>	<b>Quiz / Test</b>	<b>Week 17</b>
<b>48-48</b>	<b>Revision of the Course</b>	<b>Week 17</b>
	<b>Final Term Examinations</b>	<b>Week 18</b>

## The Law of Torts-I

### Student Evaluation Criteria:

Conduct and Attitude	05%
Assignments / Case Study	05%
Surprise Test / Sudden Test / Quizzes	05%
Class Participation / Presentations	05%
Mid Term Paper	30%
Final Term paper	50%
<b>Total</b>	<b>100%</b>

### Student's Obligations:

Students are advised / required to:

- a) arrive on time and remain in the class for the entire period.
- b) actively participate, discuss and put questions for true understanding of the concepts.
- c) maintain that nobody comes to visit them during the class.
- d) turn off their cell phones or laptops when they are in the class.
- e) do prior readings and be interactive in the class. Course outline is distributed among the students in the start of the session.
- f) avoid so much writing during the lectures and focus on listening so that they may understand the lectures well and if there is any confusion, they must ask relevant questions.
- g) read the concerned rules and regulations of the University regarding their program / degree so that they better understand their rights and obligations. Generally, it is supposed that the students know about the relevant rules because "ignorance of law is no excuse".
- h) complete all the assigned work within the prescribed time limits.
- i) attend 85% of total lectures delivered otherwise they would be disqualified to sit in the examinations.

Amjad Hussain  
Assistant Professor  
(Course Instructor)