

## LAWS50130 Advanced Torts

<b>Credit Points:</b>	12.5																					
<b>Level:</b>	5 (Graduate/Postgraduate)																					
<b>Dates &amp; Locations:</b>	This subject is not offered in 2016. This subject has a quota of 60 students. Details on quota subject selection are available on the JD website.																					
<b>Time Commitment:</b>	Contact Hours: 36 hours. Total Time Commitment: 144 hours.																					
<b>Prerequisites:</b>	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>November, Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50025 Torts	November, Semester 2	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50031 Legal Theory	Semester 2	12.50
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<b>Corequisites:</b>	None																					
<b>Recommended Background Knowledge:</b>	None																					
<b>Non Allowed Subjects:</b>	None																					
<b>Core Participation Requirements:</b>	<p>The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>.</p>																					
<b>Contact:</b>	<p>Email: <a href="mailto:law-aso@unimelb.edu.au">law-aso@unimelb.edu.au</a> (<a href="mailto:law-aso@unimelb.edu.au">mailto:law-aso@unimelb.edu.au</a>)  Phone: +61 3 8344 4475  Website: <a href="http://www.law.unimelb.edu.au/jd">www.law.unimelb.edu.au/jd</a> (<a href="http://www.law.unimelb.edu.au/jd">http://www.law.unimelb.edu.au/jd</a>)</p>																					
<b>Subject Overview:</b>	<p>This subject explores a core area of private law, being the law of torts. The subject aims to broaden and deepen students' knowledge of the law of torts in three ways. First, it looks at a range of topics that are not usually covered, at all or in great detail, in the compulsory subject. Second, the subject examines large theoretical debates as to the nature and function of tort law and how particular torts figure in these debates. Third, it examines case law related to these topics from other common law jurisdictions in addition to a comprehensive study of leading Australian materials.</p>																					

	<p>In any given year, topics will vary but will include some or all of the following:</p> <ul style="list-style-type: none"> <li># Theoretical accounts of tort law;</li> <li># The Economic torts (inducing breach of contract, intimidation, conspiracy and causing loss by unlawful means);</li> <li># Public Nuisance;</li> <li># Breach of Statutory Duty;</li> <li># Misfeasance in Public Office and Malicious Prosecution;</li> <li># Trespass to goods;</li> <li># Deceit;</li> <li># Vicarious Liability and Non-delegable duty;</li> <li># Comparative torts; and</li> <li># Contentious and emerging issues in the law of torts.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will have an advanced (in both depth and breadth), integrated and critical understanding of the law of torts. A student will therefore be able to:</p> <ul style="list-style-type: none"> <li># Critically analyse and evaluate various tort doctrines from a range of theoretical perspectives which seek to explain the subject;</li> <li># Display an advanced knowledge of some classical and contemporary debates and issues in tort law theory;</li> <li># Be able, in a self-directed way, to research, develop, and express opinions (in written form) about tort law (ie, its rules, principles, doctrines and remedies) from a theoretical perspective, incorporating appropriate citation practices; and</li> <li># Be able to compare the tort law of Australia to that of other common law jurisdictions, understanding the similarities and differences between them.</li> </ul>
<b>Assessment:</b>	Independent research essay (5,000 words maximum) on a topic approved by the Subject Coordinator (90%); Class presentation and participation (10%).
<b>Prescribed Texts:</b>	Cases, books, journal articles and other materials, which will be available via the resources (including the online resources) of the Law Library.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	<p>A student who has successfully completed the subject will demonstrate a high-level ability to:</p> <ul style="list-style-type: none"> <li># Identify, locate, reflect critically on and evaluate relevant research materials (including cases, statutes, and theoretical writings) from multiple common law jurisdictions;</li> <li># Formulate, develop, manage and realise, from inception to completion, a sustained research essay engaging with the theoretical literature as well as with legal rules, principles, doctrines and/or remedies from multiple common law jurisdictions;</li> <li># Express, in written form, reflections and arguments touching on topics explored in this subject.</li> </ul>
<b>Related Course(s):</b>	Juris Doctor