

# LW5603B: LAW OF TORT II

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## Effective Term

Semester B 2025/26

## Part I Course Overview

### Course Title

Law of Tort II

### Subject Code

LW - Law

### Course Number

5603B

### Academic Unit

School of Law (FL)

### College/School

School of Law (FL)

### Course Duration

One Semester

### Credit Units

3

### Level

P5, P6 - Postgraduate Degree

### Medium of Instruction

English

### Medium of Assessment

English

### Prerequisites

LW5603A Law of Tort I

### Precursors

Nil

### Equivalent Courses

LW2603 Law of Tort (LLB), LW2603B Law of Tort II (LLB), LW5603 Law of Tort (JD), LW6165E Law of Tort (only applicable to students who completed LW6165E before Sem A 2019/20)

### Exclusive Courses

LW6565E Law of Tort

## Part II Course Details

### Abstract

This course is the second part of Law of Torts and it aims to encourage students to further discover the nature and purpose of tort law its origins, development and limitations through studying legal principles of torts except tort of negligence. It will equip students with the following capabilities in relation to issues in tort law:

- analytical and problem-solving skills necessary to advise on issues of liability in tort;
- effective written and oral communication skills, which are of a international standard;
- research skills and ignite a passion and motivate to discover knowledge.

### Course Intended Learning Outcomes (CILOs)

CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1 Equip students with a sound knowledge of the substantive rules of tort law beyond the topics covered in Torts I.		x	x	
2 Analyse, understand, and critically evaluate: - issues and concerns in the field of tort law; - the operation of the substantive rules of tort law in terms of its objectives and practical implications locally and globally, and in social context; - the relationship between tort law and other areas of law		x	x	
3 Apply the principles of tort law to solve legal problems by: - researching questions related to tort law; - analysing and resolving problems concerning issues of tort law; - Communicating solutions orally and in writing in a clear, coherent and accurate manner.		x	x	x

#### A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

#### A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

#### A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

### Learning and Teaching Activities (LTAs)

LTAs	Brief Description	CILO No.	Hours/week (if applicable)
1	Reading cases, other material and research	Students will acquire knowledge of the substantive rules of tort law pertaining to the topics to be covered in the syllabus. Preparation outside the class and encourage innovative thinking	1
2	Lectures	Students will be given guidance by the Course Leader on the topics covered in the course, as well as guidance on their reading and research for their lectures and tutorials. Course leader will promote learning by raising questions and responding to questions and set small in class exercises to develop as well as encourage analytical and critical capabilities of students on the important issues of liability pertaining to topics covered in the syllabus.	2
3		Students will be introduced to issues and concerns and aspects of the operation of the substantive rules of tort law.	2
4		Students will be shown how legal problems are solved applying tort law.	3
5	Preparation for tutorials	Students will research issues of the tort law on weekly basis on the set tutorial problems.	2
6		Students will research issues of tort law.	3

7	Tutorials	Students will give presentations on selected topics in which they will scrutinize, analyse and evaluate tort law issues and concerns in relation tutorials problem.	2	1
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**Assessment Tasks / Activities (ATs)**

ATs	CILO No.	Weighting (%)	Remarks ("- " for nil entry)	Allow Use of GenAI?	
1	1. Class Participation	3	20	Presentations/ mooting will allow students to understand operation of law locally and globally in an innovative and critical manner.  All students will be required to contribute to tutorial discussions whether they are making a presentation or not.	No
2	2. In-class quizzes	1	10	Six multiple choice quizzes (taken during each tutorial). Each quiz will be worth 2% (with only the best five counting toward the grade).	No
3	3. Assignment/s	2	20	Students' ability to research, analyse and resolve problems, and communicate solutions in writing will be tested.	No

**Continuous Assessment (%)**

50

**Examination (%)**

50

**Examination Duration (Hours)**

2

**Minimum Continuous Assessment Passing Requirement (%)**

40

**Minimum Examination Passing Requirement (%)**

40

**Additional Information for ATs**

Examination: Students' ability to apply the principles of tort law to given situations and resolve problems will be tested.

All these assessments will assess students' ability to describe and explain the main substantive rules of tort law on topics covered in the syllabus. Students will be tested by all three assessment tasks/activities on all the three CILOs.

Students' ability to analyse and critically evaluate will be tested by all three assessment tasks/activities to determine their ability to analyse and critically evaluate applicable law and issues raised.

Students' ability to research, analyse and resolve problems and communicate solutions in writing and orally will be tested.

The use of Generative AI tools is not allowed.

Please note for this course assessment tasks are divided into final examination (50%), Assignment (20%), In-class quizzes (10%) and class participation (20%). The motive of all the tasks used will be to motivate students to develop extensive knowledge base and sharpen their research and communication skills. These assessment tasks are formulated by the instructor to integrate learning as a part of teaching and initiate an informed and guided process to unravel knowledge from the collection of materials and information and own it as 'knowledge through discovery' and critical thinking.

**Grading of Student Achievement:**

Students will receive a numerical grade for each component of their assessment. These numerical grades will be aggregated to produce a letter grade (A+, A, A- to F) in accordance with City University's guidelines.

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

To pass this course, students must obtain an aggregate mark of 50% and a minimum of 50% in written examination and coursework activities i.e. tutorials and compulsory assignment.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 and thereafter

To pass this course, students must obtain an aggregate mark of 40% and a minimum of 40% in written examination and coursework activities i.e. tutorials and compulsory assignment.

The tutorial grade will be based on their presentation and also on participation in interactive classroom activities during lectures and tutorials.

Assessment will be formative to enable students to demonstrate their capacity to understand, analyse and apply rules and principles of tort law. This aim will be assess the instructional method of Problem-Based Learning (PBL) that will be used throughout the semester. It will also be essential to assess summative ability of students to synthesise primary and secondary material with a view to solve novel tort law problems.

**Assessment Rubrics (AR)**

**Assessment Task**

Class Participation (20%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

Capacity to determine issues, analyse and critically evaluate them while applying relevant law.

Confidence building and students' maturity

**Excellent**

(A+, A, A-) High

**Good**

(B+, B, B-) Significant

**Fair**

(C+, C, C-) Moderate

**Marginal**

(D) Basic

**Failure**

(F) Not even reaching marginal levels

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**Assessment Task**

In-class quiz (10%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

Capacity to understand the legal concepts learned

**Excellent**

(A+, A, A-) High

**Good**

(B+, B, B-) Significant

**Fair**

(C+, C, C-) Moderate

**Marginal**

(D) Basic

**Failure**

(F) Not even reaching marginal levels

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**Assessment Task**

Assignment (20%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

Students' ability to research and critically analyse tort problems using relevant law; determine solutions and communicate them in clear English.

**Excellent**

(A+, A, A-) High

**Good**

(B+, B, B-) Significant

**Fair**

(C+, C, C-) Moderate

**Marginal**

(D) Basic

**Failure**

(F) Not even reaching marginal levels

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**Assessment Task**

Final Exam (50%) (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

Students' ability to research and critically analyse tort problems using relevant law; determine solutions and communicate them in clear English.

**Excellent**

(A+, A, A-) High

**Good**

(B+, B, B-) Significant

**Fair**

(C+, C, C-) Moderate

**Marginal**

(D) Basic

**Failure**

(F) Not even reaching marginal levels

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**Assessment Task**

Class Participation (20%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Capacity to determine issues, analyse and critically evaluate them while applying relevant law.  
Confidence building and students' maturity

**Excellent**

(A+, A, A-) High

**Good**

(B+, B) Significant

**Marginal**

(B-, C+, C) Moderate

**Failure**

(F) Inadequate

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**Assessment Task**

In-class quizzes (10%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Capacity to understand the legal concepts learned

**Excellent**

(A+, A, A-) High

**Good**

(B+, B) Significant

**Marginal**

(B-, C+, C) Moderate

**Failure**

(F) Inadequate

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**Assessment Task**

Assignment (20%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Students' ability to research and critically analyse tort problems using relevant law; determine solutions and communicate them in clear English.

**Excellent**

(A+, A, A-) High

**Good**

(B+, B) Significant

**Marginal**

(B-, C+, C) Moderate

**Failure**

(F) Inadequate

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**Assessment Task**

Final Exam (50%) (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Students' ability to research and critically analyse tort problems using relevant law; determine solutions and communicate them in clear English.

**Excellent**

(A+, A, A-) High

**Good**

(B+, B) Significant

**Marginal**

(B-, C+, C) Moderate

**Failure**

(F) Inadequate

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## Part III Other Information

**Keyword Syllabus**

Vicarious liability, Breach of Statutory Duty, Trespass to Land, Nuisance, Ryland v Fletcher, Trespass to Goods, Conversion, Detinue, Trespass to the Person, Breach of Privacy, Breach of Confidence, Misuse of Private Information, Defamation, Inducing Breach of Contract, Causing Loss by Unlawful Means, Intimidation, Conspiracy, Deceit, Passing off, Malicious Falsehood

**Detailed Syllabus**

- a. Vicarious liability
- b. Breach of statutory duty
- c. Trespass to Land
- d. Nuisance
- e. The Rule in Ryland v Fletcher
- f. Interference with goods
- g. Trespass to the person
- h. Intentional infliction of harm
- i. Privacy and confidentiality
- j. Defamation
- k. Economic torts

### Reading List

#### Compulsory Readings

Title	
1	Required Textbook
2	Rick Glofcheski, Tort Law in Hong Kong, 5th ed. (Sweet and Maxwell, 2023).
3	Jemal Kemal Bokhary et al. (eds), Tort Law and Practice in Hong Kong, 4th ed. (Sweet and Maxwell, 2025).
4	Materials to be provided students prepared by the course leader.
5	(Both books are available freely to students via Westlaw. The other materials will be provided to student using Canvas.)

#### Additional Readings

Title	
1	Additional required materials
2	Newspaper articles related to the course topic.
3	Supplementary Reading
4	Simon Deakin & Zoe Adams, Markesinis and Deakin' s Tort Law, 8th ed. (Oxford University Press, 2019).
5	James Goudkamp & Donal Nolan, Winfield and Jolowicz: Tort, 21st ed. (Thomson Reuters, 2025).
6	Donal Nolan & Ken Oliphant, Lunney and Oliphant' s Tort Law: Text and Materials, 7th ed. (Oxford University Press, 2023).