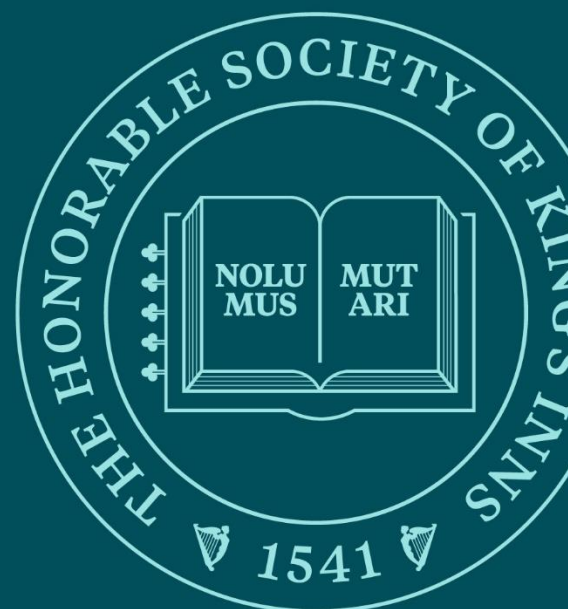


# DEGREE OF BARRISTER-AT-LAW ENTRANCE EXAMINATION 2024 – LAW OF TORTS

OFFICE OF THE REGISTRAR  
April 2024

**KINGS**  
**INNS**<sup>15</sup><sub>41</sub>

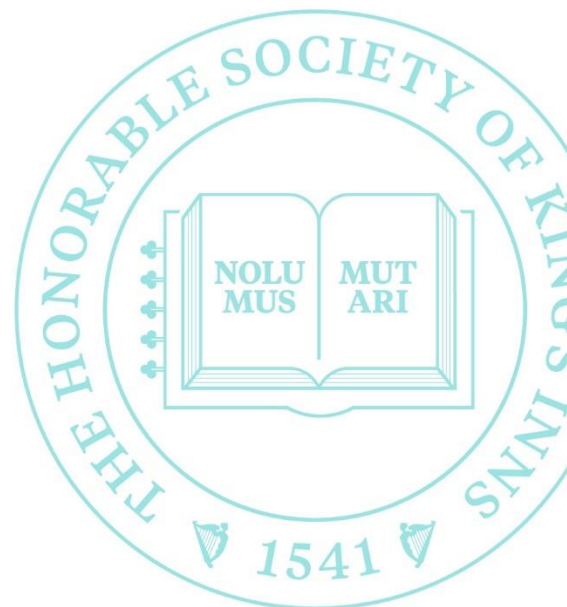


# CONTENTS

SYLLABUS 2024.	3
READING LIST 2024.	4
EXAMINATION FORMAT 2024.	5

**EXAMINER:** MR PAUL WARD, UCD

**EXTERN:** THE HONORABLE MS JUSTICE EMILY EGAN



# LAW OF TORTS

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## Syllabus 2024.

### 1. Negligence

- The Duty of Care
  - Historical Evolution
  - Historical Development in England and Wales
  - Historical Development Ireland
  - Current Position in England & Wales and Ireland
  - Commonwealth Perspectives (Canada, Australia and New Zealand)
- Policy Considerations and the Imposition of the Duty of Care (Barrister's Immunity and Wrongful Life / Conception actions in relation the recent developments in England & Wales))

### 2. Negligent Misstatements

### 3. Negligent Infliction of Psychiatric Damage ("Nervous Shock")

### 4. Pure Economic Loss

### 5. Liability of Public Authorities and Breach of Statutory Duty

### 6. Occupier's Liability

### 7. Liability of Vendors, Lessors and Builders for Quality Defects and Fitness of Premises

### 8. Professional and Medical Negligence

### 9. Product Liability

### 10. Employer's Liability

### 11. Affirmative Duties / Liability for Negligent Omissions

### 12. Vicarious Liability

### 13. The Standard of Care

### 14. Causation and Remoteness of Damage

### 15. Joint and Several Tortfeasors

### 16. The Doctrine of Res Ipsa Loquitur

### 17. Nuisance, Private and Public

### 18. Trespass to Land

19. The Rule in Rylands v Fletcher
20. Liability for Unintended Fire Damage
21. Liability for Animals
22. Fatal Injuries
23. Limitation Periods
24. Defences
  - Civil Liability Act, 1961+++++
  - Contributory Negligence
  - Volenti non fit injuria
  - Illegality
25. Defamation and Defences to Defamation
26. Deceit and Injurious Falsehood
27. Abuse of Process
28. Trespass to the Person
  - False Imprisonment
  - Assault
  - Battery
  - The Rule in Wilkinson v. Downton (Intentional Infliction of Emotional Suffering)
29. Trespass to Goods
30. Detinue, Conversion and Passing Off
31. Damages

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## Reading List 2024.

### Essential Reading

McMahon & Binchy, Law of Torts, Fourth Edition, 2013, Bloomsbury.

### Other Recommended Reading

Quill, Torts in Ireland, 4th Ed, 2014, Gill & Macmillan.

Healy, Principles of Irish Torts Law, Clarus Press, 2006.

Street On Tort, 14th Edition, 2015, OUP.

Winfield and Jolowicz On Tort, 19th Edition, 2014, Sweet & Maxwell.

Fleming, The Law of Torts, 10th Edition, 2011, Thompson Reuters.

Salmond and Hueston, Law of Torts, 21st Edition, 1996, Sweet & Maxwell.

**+++++ The Civil Liability and Courts Act, 2004 affects a number of areas of civil liability and damages. Candidates ARE EXPECTED to be familiar with these changes / developments in the Law of Torts.**

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## **Examination Format 2024.**

Candidates are obliged to answer question 1 which is compulsory and carries 50 Marks.

Candidates are obliged to answer 2 questions from the remaining questions on the paper and 25 marks are available for each of the two questions attempted.

There are a total of 5 questions on the paper.

The examination will be marked out of 100 marks.

**- END -**