



LAWS8040

Law of Obligations II - Torts

Session 2, In person-scheduled-weekday, North Ryde 2026

Macquarie Law School

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General Information

Unit convenor and teaching staff Amanda Head Contact via via iLearn Ebony Birchall Contact via via iLearn
Credit points 10
Prerequisites (LAWS803 or LAWS8030)
Corequisites
Co-badged status
Unit description The law of obligations encompasses private law obligations in contract, tort, and restitution. This compulsory unit examines the law of torts and its operation in context from doctrinal, practical, theoretical and normative perspectives. Torts addresses critical questions about social responsibility and obligations members of a community owe to one other, and how civil legal standards can and should be used to encourage appropriate behaviour and rectify wrongs. Negligence is the principal focus; other topics studied include assault, battery, false imprisonment, trespass to land and goods, nuisance, conversion, defences, and types of liability. The unit extends and integrates knowledge and skills developed in previous law units, focusing on communication, teamwork, problem solving and research.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Describe and analyse the fundamental doctrines, concepts, principles, values and sources (both common law and statute) for different types of torts and categories of liability

ULO2: Recognise and critique contemporary developments in the law of torts and reflect

upon how such developments may impact upon tort-feasors and claimants.

ULO3: Identify, classify and resolve complex legal issues related to contemporary tort law

ULO4: Engage in critical legal reasoning, analysis and research to generate appropriate responses to tort-based legal issues.

ULO5: Communicate professionally, effectively and in a timely manner, and participate in verbal and non-verbal exchanges with diverse audiences and in diverse contexts.

ULO6: Learn and work independently, meet deadlines, and reflect on performance using feedback to support personal and professional development.

General Assessment Information

All written assessments submitted electronically must be submitted through the link provided in iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

Late Submission Policy

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

Special Consideration

Students should submit applications for Special Consideration electronically via the Service Connect portal, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

Assessment Tasks

Name	Weighting	Hurdle	Due	Groupwork/Individual	Short Extension	AI Approach
Professional Skills	20%	No	Ongoing	Individual	No	Observed
Practice-Based Task	30%	No	09/09/2026	Individual	Yes	Open
Exam	50%	No	During Exam Period	Individual	No	Observed

Professional Skills

Assessment Type ¹: Professional task

Indicative Time on Task ²: 0 hours

Due: **Ongoing**

Weighting: **20%**

Groupwork/Individual: Individual

Short extension ³: No

AI Approach: Observed

Students will develop essential legal professional skills through structured classroom activities such as oral advocacy, critical reasoning, strategic problem-solving, collaborative work, team leadership, mootng, simulated client consultations, legal presentations or demonstrations, doctrinal analysis and problem solving, and/or collaborative legal research. These activities are designed to develop students' professional capabilities including capacity to communicate legal concepts clearly and engage professionally with diverse audiences in diverse contexts.

On successful completion you will be able to:

- Describe and analyse the fundamental doctrines, concepts, principles, values and sources (both common law and statute) for different types of torts and categories of liability
- Recognise and critique contemporary developments in the law of torts and reflect upon how such developments may impact upon tort-feasors and claimants.
- Identify, classify and resolve complex legal issues related to contemporary tort law
- Engage in critical legal reasoning, analysis and research to generate appropriate responses to tort-based legal issues.
- Communicate professionally, effectively and in a timely manner, and participate in verbal and non-verbal exchanges with diverse audiences and in diverse contexts.
- Learn and work independently, meet deadlines, and reflect on performance using feedback to support personal and professional development.

Practice-Based Task

Assessment Type ¹: Practice-based task

Indicative Time on Task ²: 23 hours

Due: **09/09/2026**

Weighting: **30%**

Groupwork/Individual: Individual

Short extension ³: Yes

AI Approach: Open

An assessment on professional skills and knowledge relevant to the unit. This could be a legal or policy brief, a report, an essay, a law reform proposal, legal pleadings or other related professional task. This assessment may require students to prepare a response through research and adhere to discipline-specific scholarly conventions.

On successful completion you will be able to:

- Describe and analyse the fundamental doctrines, concepts, principles, values and sources (both common law and statute) for different types of torts and categories of liability
- Recognise and critique contemporary developments in the law of torts and reflect upon how such developments may impact upon tort-feasors and claimants.
- Identify, classify and resolve complex legal issues related to contemporary tort law
- Engage in critical legal reasoning, analysis and research to generate appropriate responses to tort-based legal issues.
- Communicate professionally, effectively and in a timely manner, and participate in verbal and non-verbal exchanges with diverse audiences and in diverse contexts.
- Learn and work independently, meet deadlines, and reflect on performance using feedback to support personal and professional development.

Exam

Assessment Type ¹: Examination

Indicative Time on Task ²: 23 hours

Due: **During Exam Period**

Weighting: **50%**

Groupwork/Individual: Individual

Short extension ³: No

AI Approach: Observed

An invigilated examination. The exam may cover any or all topics and materials covered in the unit.

On successful completion you will be able to:

- Describe and analyse the fundamental doctrines, concepts, principles, values and sources (both common law and statute) for different types of torts and categories of liability
- Recognise and critique contemporary developments in the law of torts and reflect upon how such developments may impact upon tort-feasors and claimants.
- Identify, classify and resolve complex legal issues related to contemporary tort law
- Engage in critical legal reasoning, analysis and research to generate appropriate responses to tort-based legal issues.
- Communicate professionally, effectively and in a timely manner, and participate in verbal and non-verbal exchanges with diverse audiences and in diverse contexts.
- Learn and work independently, meet deadlines, and reflect on performance using feedback to support personal and professional development.

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- [Academic Success](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation.

³ An automatic short extension is available for some assessments. Apply through the [Service Connect Portal](#).

Delivery and Resources

Delivery

The delivery of this Unit combines two hours of lecture every week (one hour face-to-face and one hour pre-recorded), a weekly one hour tutorial or fortnightly two hour tutorial (face-to-face or online) during weeks 2-13, and online learning content on iLearn.

Lectures begin in week 1.

Tutorials begin in week 2 (face to face and online - check timetable) and week 3 (online - check timetable)

Resources

The required textbook for this Unit is: **Tort Law Principles (Thomson Reuters, 3rd ed, 2025) by Simon Allison, Martin Allcock, Mandy Shircore, Anna Bunn.**

Students can purchase the textbooks online. Please note that due to publisher restrictions, the

library does **not** have an online copy of this text. There are a limited number of physical texts available for loan through the library. Students are strongly advised to purchase their own copy of the text. Students purchasing their texts directly from the Thomson Reuters estore can do so with a 20% discount and free shipping if they use the student promo code: UNIS15

Additional readings will be accessible through iLearn.

Students require access to a computer, internet with decent speed and a secure/reliable server.

The iLearn page contains all Unit requirements and a weekly schedule for teaching, readings and tutorials. Information about all assessment tasks is also available on iLearn.

Unit Schedule

The iLearn Unit page contains a detailed schedule of topics covered, required readings, supplementary learning materials and tutorial questions. Below is a brief outline of the topics covered in this Unit:

- Introduction to Torts
- Trespass to Person
- Interference with Chattels
- Trespass to Land
- Nuisance
- Defences to Intentional Torts
- Negligence: Unpacking Duty of Care
- Duty of Care Categories: Physical Harm, Psychiatric Harm, Pure Economic Loss
- Duty of Care regarding Special Parties
- Standard of Care and Breach of Duty
- Causation
- Damage and Remoteness
- Concurrent Liability
- Defences to Negligence

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)

- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies) (<https://students.mq.edu.au/support/study/policies>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit connect.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Academic Success

[Academic Success](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Ask a Study Coach](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via the [Service Connect Portal](#), or contact [Service Connect](#).

IT Help

For help with University computer systems and technology, visit <https://students.mq.edu.au/support/technology/service-desk>.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.

Unit information based on version 2026.04 of the [Handbook](#)