



NATIONAL OPEN UNIVERSITY OF NIGERIA
UNIVERSITY VILLAGE, PLOT 91, NNAMDI AZIKWE EXPRESSWAY,
JABI, ABUJA
FACULTY OF LAW
JULY 2017_1 SEMESTER EXAMINATION

COURSE CODE: LAW 323

COURSE TITLE: LAW OF TORTS I

COURSE UNIT: 4 UNITS

TIME ALLOWED: 2 ½ HOURS

INSTRUCTIONS: ANSWER FOUR QUESTIONS. QUESTION ONE IS COMPULSORY AND CARRIES 25 MARKS WHILE OTHERS ARE 15 MARKS EACH.

1. (a) The plaintiff who had one eye was employed as a mechanic in the defendant's garage. Part of his job includes welding. It was not normal to put on goggles in such a job. In the course of his work a piece of metal flew into the plaintiff's eyes causing him to become completely blind. On his way back home from the company one day he had a fall and the fuel he was carrying to spilled. The fuel caught fire and damaged his neighbour's shop. He then sued the defendant for loss of his sight and for loss of earnings to take care of his family and aged parents for the rest of his life since he may not be able to provide for the family anymore. He is also asking the company to repair the shop. Advise the plaintiff and the company.

1 (b) Discuss the general Defence in the law of torts
2. With the help of decided cases discuss five defences to an action for trespass to person:
3. Using decided cases write short notes on any three --- 5 marks each.
 - i. False imprisonment
 - ii. Comparing and contrasting tort with criminal law
 - iii. Defences to an action for libel
 - iv. Torts Protecting Personal Interests
 - v. : Damnum sine injuria
4. A police man attached to Area P Police division was detailed to go with junior officers to G.R.A. Ikeja at the popular Isaac Jones street to carry out a raid operation on the prostitutes who have continued to constitute themselves as nuisance to that environment every night. At the raid operation, Inspector Mojisola who was not on duty but passing by saw some of the prostitutes running away and gave them a chase and apprehended Lilian who was partially naked and standing by on the road for patronage. Inspector Mojisola wishing to question the

Lilian on suspicion of prostitution took hold of Lilian's arm to detain her for the purpose of questioning her. Lilian resisted his actions and even denied that she was a prostitute. Eventually, Lilian was released but feeling embarrassed, she decided to seek the help of a lawyer to pursue her claims on the ground of molestation, improper treatment and imprisonment. Consider the whole scenario and address the important issues therein.

5. The defendant placed an iron bar across an exit door of a hall, put off the lights on the staircase and shouted "fire". In the struggle to escape, several persons were injured. The court held that the defendant was liable for battery.
6. In an action for damages for injury suffered by Press through Candy's wickedness, Press is asking for not only General and Special Damages but also punitive damages. Candy argues that Press is entitled to nominal damages only. Advise the parties.