

Intentional Torts

Intentional Torts

When someone intentionally injures a person or interferes with a person's property



Intentional Torts

Many Civil Crimes are also Criminal Crimes, however just because someone is found guilty of a crime the victim may not be compensated.

To be compensated the victim may have to sue civilly.



Intentional Torts

Intentional Interference with the Person

- Assault
- Battery: defendant touched the plaintiff, the touch was unwanted, doesn't have to hurt just offend



Intentional Torts

Intentional Interference with the Person

- Sexual Abuse
- Medical Battery, defendant treated the patient in a different manner than explained



Intentional Torts

Intentional Interference with the Person

- False Imprisonment:
defendant illegally detained
the plaintiff

Article

- Malicious Prosecution:
Plaintiff must prove that
was no reasonable grounds
for them to be charged with
the crime



Intentional Torts

Intentional Interference with the Person

- Nervous Shock and Mental Suffering: must prove that this was caused by the extreme actions of the defendant



Intentional Torts

Intentional Interference with the Person

Invasion of Privacy:
Plaintiff must prove
that their personal
information was
accessed without
cause



Clip

Intentional Torts

Intentional Interference with Property

Trespass to Land

- Plaintiff must prove that the defendant entered their property without permission, or refused to leave and harm was caused as a result



Intentional Torts

Intentional Interference with Property

Nuisance

- Plaintiff must prove they were harmed while enjoying their property (loud music, noxious fumes)



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Intentional Torts

Intentional Interference with Property

Trespasses to Chattels

- Plaintiff must prove that the defendant intentionally interfered with their Chattels (personal property)



Intentional Torts

Defences to Intentional Interference with Person or Property

- Consent
- Self-Defence
- Defence of a Third Party: Protecting someone else



Intentional Torts

Defences to Intentional Interference with Person or Property

- Legal Authority:
people who have the
legal right to do so
- Statutory Authority:
law authorizes the
activity, (construction)



Intentional Torts

Defamation of Character

If accusations are unfounded and cause an injury to a person's reputation or character the perpetrator can be sued for defamation.



Intentional Torts

Defamation of Character

Slander: spoken, plaintiff must prove the comments were made to someone other than the plaintiff and a reasonable person would see the remarks as defamatory



Intentional Torts

Defamation of Character

Libel: the same as slander, but more permanent, written or electronic

Internet Case



Intentional Torts

Defamation of Character Defences

- Truth: if it is true
- Fair Comment: a personal opinion based on fact, without malice
- Absolute Privilege: comments made during court proceeding or in a legislature

