



# LAW 897

## Media Law and Culture

S1 External 2017

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor

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Contact via email

W3A 509

For consultation times see iLearn

Credit points

4

Prerequisites

Admission to LLM or 12cp in CUL or MAS units at 300 level or 42cp in LAW or LAWS units at 400 or 500 level or (admission to JD and 32cp in LAW or LAWS units at 800 level)

Corequisites

Co-badged status

Unit description

What principles should guide government policy towards the media? Given the pivotal role the media play in cultural production, should we favour tight regulation of media ownership and content, or are these better left to market forces? What meaning should we give to concepts such as freedom of expression, especially when it comes to issues such as hate speech and pornography? What role should the media play in a democracy, and how should we balance the rights and interests of the media against those of individuals, corporations and other institutions anxious to safeguard their privacy and reputation? This unit takes an international and comparative perspective on media law, asking how these questions have been and should be answered not only in Australia but also overseas. From fundamental principles to day-to-day legal restrictions on what people in different countries see and hear in their media, we examine how media law shapes and reflects national culture.

## 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:

Demonstrate an advanced and integrated understanding of how Australia regulates

important aspects of the media.

Apply key aspects of Australian media regulation to real or hypothetical situations.

Advise in relation to some typical legal problems encountered by journalists and media outlets in Australia.

Through independent research and writing, compare medium-neutral and medium-specific speech regulation in at least two jurisdictions.

Through independent research and writing, critique the ideas of JS Mill as they relate to freedom of expression, doing so in the context of real-world media regulation in various jurisdictions.

Participate constructively in discussion and other classroom activities in order to understand, analyse, compare and critique media regulation in Australia and overseas.

## General Assessment Information

In order to pass this unit external students must:

**A. satisfactorily complete Foundation Quizzes 1.1 to 1.4 (see below under *Foundation Quizzes 1.1 to 1.4*);**

**B. participate satisfactorily in on-campus session activities (see below under *OCS Participation*), and**

**C. attain at least 50 marks garnered from the following:**

1. weekly quizzes (worth 20 marks in total);
2. program advice exercise (worth 20 marks);
3. research assignment (worth 60 marks).

A fail grade for one or more of the weekly assessed quizzes (Quizzes A to M), program advice exercise or research assignment will not result in an automatic fail of the unit.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#"><u>Foundation Quizzes 1.1 to 1.4</u></a>	0%	Yes	11 pm, 26 March 2017
<a href="#"><u>OCS participation</u></a>	0%	Yes	22 & 23 April 2017
<a href="#"><u>Quizzes</u></a>	20%	No	Various: see Schedule below
<a href="#"><u>Program advice exercise</u></a>	20%	No	1 - 8 pm, 7 May 2017
<a href="#"><u>Research assignment</u></a>	60%	No	11 pm, 12 June 2017

## Foundation Quizzes 1.1 to 1.4

Due: **11 pm, 26 March 2017**

Weighting: **0%**

**This is a hurdle assessment task (see [assessment policy](#) for more information on hurdle assessment tasks)**

In order to pass this unit, students must satisfactorily complete Foundation Quizzes 1.1 to 1.4. Satisfactory completion of these quizzes is therefore a hurdle requirement of this unit. Satisfactory completion involves attaining 100% in each quiz on the student's last attempt. Students are allowed unlimited attempts at each quiz and quiz attempts are not timed.

The purpose of the quizzes is to ensure that students are conversant with how the unit will be run. They are also intended to clarify staff and student expectations, thus promoting effective learning.

On successful completion you will be able to:

- Participate constructively in discussion and other classroom activities in order to understand, analyse, compare and critique media regulation in Australia and overseas.

## OCS participation

Due: **22 & 23 April 2017**

Weighting: **0%**

**This is a hurdle assessment task (see [assessment policy](#) for more information on hurdle assessment tasks)**

The on-campus session (OCS) will be held on Saturday 22 and Sunday 23 April 2017. Attendance on both days is compulsory for external students.

In order to pass this unit, external students must participate satisfactorily in OCS activities. Satisfactory OCS participation is therefore a hurdle requirement of this unit. Satisfactory participation involves:

1. attending all sessions;
2. demonstrating that the student has prepared adequately for each session. Adequate preparation means listening to the relevant lectures, completing and thinking about the prescribed essential readings, as well as preparing answers to any questions posted to iLearn prior to the OCS;
3. actively participating in OCS activities, which can include answering questions, making suitable contributions to discussions and asking relevant questions of the teacher or fellow students as appropriate;
4. respectfully listening and responding to views expressed by the teacher and fellow students;

5. cooperating in OCS activities as directed by the teacher; and
6. refraining from activities unrelated to the tutorial, such as surfing the web, checking text messages, working on assignments, etc.

OCS participation will not be deemed satisfactory simply because you turned up.

Notwithstanding the requirements relating to satisfactory participation, the OCS is meant to present a non-threatening environment in which students can make mistakes and own up to any difficulties with the material being studied. The OCS is a place to learn, not just to demonstrate what you have previously learned. While the teacher may need to correct mistakes, every effort will be made to avoid causing any degree of embarrassment.

In particular, your participation will not be assessed as unsatisfactory simply on the basis that you:

1. answer questions incorrectly or otherwise display a lack of understanding, or
2. indicate that you find something difficult to understand (eg by asking questions);

provided that it is nevertheless evident that you adequately prepared for class, in that you made sufficient effort to try to understand the material. In short, teachers should be highly tolerant of failures to understand, highly intolerant of failures to try to understand.

Students will be notified as the session progresses if their participation is considered unsatisfactory and will be offered guidance on how to improve it.

On successful completion you will be able to:

- Demonstrate an advanced and integrated understanding of how Australia regulates important aspects of the media.
- Apply key aspects of Australian media regulation to real or hypothetical situations.
- Advise in relation to some typical legal problems encountered by journalists and media outlets in Australia.

## Quizzes

Due: **Various: see Schedule below**

Weighting: **20%**

Twelve weekly assessable quizzes will be set. These will be identified as Quizzes A to M. (There is no Quiz I.) Each quiz will relate to a particular topic. The quizzes will be conducted using iLearn and students must post their responses via iLearn. Students must submit their answers for each quiz by the deadline stipulated in the Schedule below. Generally the deadline falls at 11 pm on a Sunday.

Subject to that 11 pm deadline, students will have 30 minutes from when they first open the quiz to submit all of their answers. At the end of 30 minutes the quiz is submitted automatically with whatever answers have been filled in so far. If you open the quiz after 10.30 pm on the day of the deadline then the quiz will nevertheless close at 11 pm, meaning that you will have less than

30 minutes to submit your answers.

Students stand to gain marks in relation to the first ten quizzes they attempt. Students will be deemed to have attempted a quiz once they have opened that quiz (ie once they have seen the questions). Students may attempt more than 10 quizzes in order to further their learning but they will not gain marks for the 11th or 12th quiz they attempt.

Each quiz will be worth two marks. There will be five questions as follows:

1. Questions 1, 2, 3 and 4 will each present you with a statement. You will be asked to decide whether that statement is true or false. Each question will be worth one quarter of a mark. (When calculating the overall unit mark all marks will be rounded up or down to the nearest integer.)
2. Question 5 will generally ask students to choose from among a limited number of predetermined answers to a question. That question will be worth one mark.

Answers to each question will be released on iLearn immediately after the relevant quiz's deadline. Where appropriate, online feedback will also be provided. For that reason, under no circumstances can extensions be granted for the submission of answers.

Please see below under 'Policies and Procedures' in relation to what you should do if you miss a quiz.

On successful completion you will be able to:

- Demonstrate an advanced and integrated understanding of how Australia regulates important aspects of the media.

## Program advice exercise

**Due: 1 - 8 pm, 7 May 2017**

**Weighting: 20%**

During the afternoon of 7 May 2017 students will be asked to write an advice in relation to a hypothetical script for a proposed radio or television item. The advice will need to relate to the legal risks inherent in broadcasting the item. Where unacceptable risks exist, students will be expected to suggest ways of reducing those risks to an acceptable level.

Students will be able to download the script and related information from iLearn at 1 pm on 7 May. They will need to upload their advice to iLearn (via Turnitin) by 8 pm the same day.

Detailed instructions on how to complete the exercise, as well as a marking rubric and tips on how to do well, will be made available on iLearn one week prior to the exercise. The exercise will be designed to test students' understanding of content studied in Topics 3 to 8 (inclusive).

On successful completion you will be able to:

- Apply key aspects of Australian media regulation to real or hypothetical situations.

- Advise in relation to some typical legal problems encountered by journalists and media outlets in Australia.

## Research assignment

Due: **11 pm, 12 June 2017**

Weighting: **60%**

A key purpose of the research assignment is to develop and assess competencies in independent research and writing. Students will be required to submit (via Turnitin) a 4,000 word research paper by 11 pm, 12 June 2017.

We begin the unit by looking at a classic approach to freedom of expression articulated by the 19th century philosopher John Stuart Mill. Through set readings we shall look at some counter-arguments to those ideas as a theoretical framework for media regulation. Students will be expected, through their own independent research and writing, to develop those counter-arguments and/or find different ones. They will then be required to critique Mill and their chosen counter-arguments, doing so in light of the way in which the media is regulated in at least two different jurisdictions. Students will be required to consider both medium-neutral and medium-specific regulation. Medium-neutral regulation applies regardless of the medium by which content is communicated (eg the printed word is treated the same as broadcasting), while medium-specific regulation treats a particular medium (eg broadcasting) differently to another (eg the internet).

Detailed instructions and advice relating to the research assignment, as well as a marking rubric, will be provided to students in Week 3.

On successful completion you will be able to:

- Demonstrate an advanced and integrated understanding of how Australia regulates important aspects of the media.
- Through independent research and writing, compare medium-neutral and medium-specific speech regulation in at least two jurisdictions.
- Through independent research and writing, critique the ideas of JS Mill as they relate to freedom of expression, doing so in the context of real-world media regulation in various jurisdictions.

## Delivery and Resources

### Lectures

This unit consists of 13 topics, as set out on the iLearn website. With the exception of Topic 1, each topic is accompanied by a lecture. Rather than lectures being delivered 'live' in a theatre, recordings are available for download from iLearn (click on the 'Echo 360' logo on the right hand side of the screen). PowerPoint slides accompany each lecture and are also available from iLearn (in .pptx and .pdf format). When listening to lectures, be sure to have the accompanying



PowerPoint slides in front of you, since they will be referred to during lectures.

Lectures are intended to give you an overview of the topic, indicate its most important aspects, make the related readings more interesting and accessible and, if necessary, update those readings. It is assumed that you will listen to the lecture prior to embarking on that week's readings.

## Readings

The lectures should give you a broad overview of the subject, but it is essential to then develop your understanding by completing the related readings. Each week's readings are listed in the *Schedule of Readings* available from iLearn. Readings are divided into 'essential readings' and 'desirable readings'. Note that all readings listed in the *Schedule of Readings* are considered examinable, even if described as 'desirable': the division between 'essential' and 'desirable' is intended only to advise you as to which readings are most important.

'Essential' readings mostly consist of extracts from the prescribed textbook:

- Des Butler and Sharon Rodrick, *Australian Media Law* (5th ed, 2015, Thomson Reuters), ISBN: 978-0-455-234403

You are advised to obtain the current (fifth) edition of the prescribed text. Other readings are available online from Macquarie University library or the general internet.

In addition to the secondary sources (book chapters, journal articles, etc) listed in the *Schedule of Readings*, you are expected to consult relevant primary legal sources (treaties, statutes, regulations, codes and cases) as much as possible. It should be evident to you from the lectures and secondary sources which primary sources (and which parts of those primary sources) are most important. Sometimes you will need to consult primary sources in order to complete assignments. You are expected to have sufficient research skills to locate and download those primary sources. If you are having problems then the library website and staff are likely to be your best source of assistance, although your tutor may also be able to help.

For the research assignment it is absolutely essential that you go beyond the listed readings, using the library and internet to find appropriate primary and secondary sources. You are also encouraged to read widely in the general media in order to make unit content more interesting and relevant.

If you feel that you would like to buy a casebook in addition to the prescribed textbook then you are recommended the following:

- David Rolph et al, *Media Law: Cases, Materials and Commentary* (2nd ed, 2015, Oxford Uni Press), ISBN: 978-0-19-559848-3

## On-campus session

Having gained a basic understanding of each topic by listening to the lecture, and having developed that understanding through completing the readings, the on-campus session (OCS) is your chance to discuss the issues raised, as well as ask questions in order to clear up any



lingering doubts as to whether you understand the material correctly. OCS attendance is meant to come towards the end of the learning process, not the beginning. Certainly it is not a substitute for listening to the lectures or doing the readings, although if you are totally stumped by even a basic point then there is no shame in raising it at the OCS.

Each day of the OCS will begin promptly at 9 am and will end at 4 pm. There will be appropriate breaks. Please try not to be late arriving in the morning or returning from breaks.

See above under 'General Assessment Information' in relation to OCS participation.

## General discussion forums

In relation to Topics 2 to 13, a discussion forum will be set up on iLearn. Students are encouraged to contribute to these discussions, provided the general rules of etiquette are observed. The forums are intended for discussion relating to the issues we are studying. Please post questions relating to administrative matters to the forum called 'Discussion Forum re Administrative Matters'.

## Unit Schedule

### General notes:

- Lectures are delivered only via iLearn. There are no 'live' lectures in this unit.
- 'Butler & Rodrick' refers to the prescribed textbook for the unit:
  - *Des Butler and Sharon Rodrick, Australian Media Law (5<sup>th</sup> edn, 2015, Thomson Reuters), ISBN: 978-0-455-234403*
- Unless indicated otherwise, other readings are available from Macquarie University library as a unit reading. You can find them using MultiSearch: <http://libguides.mq.edu.au/MultiSearch>.

## Topic 1: Unit Introduction

*This topic introduces the unit: its learning outcomes, its learning material and activities, and also its methods of assessment. Besides discussing administrative matters, the topic also considers the expectations of staff and students.*

- **Formative Quizzes 1.1 to 1.4 relate to Topic 1. The absolute deadline for completion of those quizzes is 11 pm, Sunday 26 March. Ideally, however, you should complete them in Week 1 (27 February – 3 March).**
- Tutorials relating to this topic will be held in the week commencing 27 February (Week 1).
- Readings:
  - Essential:
    - LAW897 Unit Guide (available from iLearn).

## Part A: Free Speech

### Topic 2: The Free Speech Principle

*Principles guide policy makers in the design of rules. This lecture asks what principles should govern media law. Should everything be premised on some kind of right to free speech? If so, what do we mean by this right and is it really so important?*

- **Deadline for Quiz A: 11.00 pm, Sunday 5 March**
- Readings:
  - Essential:
    - Butler & Rodrick, chapters 1 and 2, (pp 1 – 30);
    - Frederick Schauer, extract from ‘The Free Speech Principle’ in *Free Speech: a Philosophical Enquiry*, (1982), 3 – 12;
    - Frederick Schauer, ‘Free Speech and the Good Life’ in *Free Speech: a Philosophical Enquiry*, (1982), 47 – 59.
  - Desirable:
    - Robert Kubey and Mihaly Csikszentmihalyi, ‘Television Addiction Is No Mere Metaphor’, (23 Feb 2002) 286.2 *Scientific American*, 74 – 81 (available at <http://www.simpletoremember.com/vitals/TVaddictionIsNoMereMetaphor.pdf>).

### Topic 3: Political Expression

*This lecture continues to consider the arguments generally used in support of freedom of expression, focussing on the part free speech plays in a healthy democracy. Australia's High Court has given constitutional protection to political expression, but was that a good thing? Looking in particular at the issue of paid political advertising in broadcasting, I argue that the central problem lies in how we habitually conceptualise freedom.*

- **Deadline for Quiz B: 11.00 pm, Sunday 12 March**
- Readings:
  - Essential:
    - Frederick Schauer, ‘Free Speech in a World of Private Power’ in Tom Campbell and Wojciech Sadurski (eds), *Freedom of Communication* (1994) 1 – 16;
    - Butler & Rodrick, chapter 4 (part), paras 4.580 – 4.640 (pp 220 – 232);
    - Roy Baker, ‘Political Payola: the “Cash for Comment” Scandal and Australia’s Protection of Political Speech’ (2002) 7.1 *Media & Arts Law Review* 27 – 42 (available from the general Library catalogue).

## Topic 4: Free Speech and the Nation

*Historically, the state regulated speech so as to protect itself from its subjects. In our more democratic times attention has switched towards safeguarding national cohesion. This lecture considers the extent to which states are entitled to regulate speech that vilifies sections of the community, particularly racial, ethnic and sexual minorities, and which may lead to internal strife.*

- **Deadline for Quiz C: 11.00 pm, Sunday 19 March**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 10 (pp 677 – 702);
    - Stanley Fish, 'There's No Such Thing As Free Speech, and It's a Good Thing Too' in H Aram Veerer (ed), *The Stanley Fish Reader* (1999) 145 – 164;
    - Butler & Rodrick, chapter 9 (part), paras 9.10 – 9.510 (pp 618 – 651).
    - Stanley Fish, 'Holocaust Denial and Academic Freedom' (2001) 35 *Valparaiso University Law Review* 499 (available from the general Library catalogue);
    - Richard H Weisberg, 'Fish Takes the Bait: Holocaust Denial and Post-Modernist Theory' (2002) 14 *Cardozo Studies in Law and Literature* 131 – 141 (available from the general Library catalogue).

## Topic 5: Pornography

*If we accept the harm principle then we should not regulate erotica simply in order to safeguard the morals of its consumers. But pornography has been accused of objectifying those who appear in it, particularly women. Indeed, it has been described as nothing more than hate speech directed towards women. Using feminist theory, free speech discourse and the latest findings in neuroscience, this lecture compares various regulatory approaches to sexual content.*

- **Deadline for Quiz D: 11.00 pm, Sunday 26 March**
- Readings:
  - Essential:
    - Regina Graycar and Jenny Morgan (eds), *Hidden Gender of Law* (Foundation Press, 2002) 403-19;
    - Butler & Rodrick, chapter 9 (part), paras 9.530 – 9.790 (pp 652 – 676);
    - Neil Thornton, 'The Politics of Pornography: a Critique of Liberalism and Radical Feminism' (1986) 22(1) *Australian and New Zealand Journal of Sociology*, 25 (available from the general Library catalogue);
    - Andrea Dworkin and Catherine MacKinnon, Appendix D: 'Model Anti-

pornography Civil-Rights Ordinance', *Pornography and Civil Rights: a New Day for Women's Equality* (Organizing against Pornography, Minneapolis, 1988) (available at <http://www.nostatusquo.com/ACLU/dworkin/other/ordinance/newday/TOC.htm>);

- Norman Doidge, 'Acquiring tastes and loves: What neuroplasticity teaches us about sexual attraction and love' in *The Brain That Changes Itself: Stories of Personal Triumph From the Frontiers of Brain Science* (2007), 93-131.

## Part B: Defamation Law

### Topic 6: Liability for Defamation

*In Australia, one of the major legal constraints on journalistic freedom derives from defamation law. Starting off by asking whether any of us are entitled to laws that safeguard our reputations, this lecture considers how the tort of defamation is committed.*

- **Deadline for Quiz E: 11.00 pm, Sunday 2 April**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 3 (part), paras 3.10 – 3.630 (pp 33 – 74);
    - Roy Baker, 'Defamation and the Moral Community' (2008) 13.1 *Deakin Law Review* 1 – 35 (available from the general Library catalogue);
    - Roy Baker, *Defamation Law and Social Attitudes: Ordinary Unreasonable People* (Edward Elgar, 2011), chapter 8 (pp 290 – 309).

### Topic 7: Defamation Defences and Remedies

*Continuing our analysis of defamation law, this lecture looks at the defences available to media outlets that cause damage to reputation, and asks whether those reputations are overly protected.*

- **Deadline for Quiz F: 11.00 pm, Sunday 9 April**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 3 (part), paras 3.640 – 3.1390 (pp 75 – 143).

**On-campus session: 22 & 23 April 2017**

### Topic 8: Alternatives to Defamation

*In this lecture I ask whether the tort of defamation is a broken tort, and whether the issue of protection of reputation is not better addressed through other forms of legal action, such as the*

*tort of injurious falsehood or negligence, or a new action for breach of privacy.*

- **Deadline for Quiz G: 11.00 pm, Sunday 30 April**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 3 (part), paras 3.1400 – 3.1550 (pp 143 – 153);
    - Butler & Rodrick, chapter 11 (pp 703 – 727);
    - David Rolph, et al, *Media Law: Cases, Materials and Commentary* (Oxford Uni Press, 2<sup>nd</sup> ed, 2015) chapter 10 (pp 289 – 320).

## Part C: Privacy

### Topic 9: Access to Information

*This lecture considers the extent to which the law both facilitates and hinders journalists' access to information, as well as its distribution via the media.*

- **Deadline for Quiz H: 11.00 pm, Sunday 7 May**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 7 (pp 461 – 521).

### Topic 10: Privacy of Information and Communications

*Controversy over phone hacking by journalists has exploded in the UK in recent years, has led to the closure of one of the country's oldest newspapers and could even threaten the Murdoch empire as we know it. This lecture considers whether the same thing could happen in Australia.*

- **Deadline for Quiz J: 11.00 pm, Sunday 14 May**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 8 (part), paras 8.10 – 8.430 (pp 524 – 552).

### Topic 11: Personal Privacy

*Historically, the common law never offered a remedy specifically designed to protect personal privacy. With the development of a more intrusive press, disquiet over this omission has become increasingly vocal. This lecture compares developments in the law of privacy in Australia with those overseas, particularly in Europe, where laws protecting privacy have a longer pedigree.*

- **Deadline for Quiz K: 11.00 pm, Sunday 21 May**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 8 (part), paras 8.440 – 8.1190 (pp 552 – 616).

## Part D: Media Control

### Topic 12: Broadcasting Regulation

*Of all Australian media, television and radio have been the most tightly regulated in recent decades. With advances in technology, particularly digital broadcasting and the internet, justifications for retaining the traditional structure of regulation have become increasingly strained. This lecture considers the argument for and against rigorous government intervention in broadcasting and asks whether it is time to set television and radio free.*

- **Deadline for Quiz L: 11.00 pm, Sunday 28 May**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 14 (part), paras 14.10 – 14.1450 (pp 799 – 937)
      - Skim the entire reading, but focus on the following:
        - 14.10 - 14.150 (pp 799 - 824)
        - 14.710 - 14.810 (pp 867 - 874)
        - 14.930 - 14.1220 (pp 882 - 911)

### Topic 13: Media Ownership

*There is little point in freedom of expression if there is only one man talking. This lecture looks at how Australian law seeks to guarantee at least a modicum of media diversity, and why those efforts have been under attack in recent years.*

- **Deadline for Quiz M: 11.00 pm, Sunday 4 June**
- Readings:
  - Essential:
    - Butler & Rodrick, chapter 15 (pp 950 – 998).

## Policies and Procedures

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

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html)

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy (in effect until Dec 4th, 2017): <http://www.mq.edu.au/policy/docs/dis>

[ruption\\_studies/policy.html](#)

Special Consideration Policy (in effect from Dec 4th, 2017): <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration>

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## Results

Results shown in *iLearn*, 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 [ask.mq.edu.au](http://ask.mq.edu.au).

## Communicating with the teaching staff

By far the best way to communicate with the convenor is via **email**: [roy.baker@mq.edu.au](mailto:roy.baker@mq.edu.au)

The convenor checks his emails regularly and you can expect a response within a few business days. If you do not hear within four business days then it is likely that your email has gone missing. Only then should you send another chasing it up.

When emailing, it is vital that you use your Macquarie email account ([student.name]@students.mq.edu.au). You can set up your Macquarie account so that emails received there are forwarded to your regular account.

**Phoning** the convenor is not a good idea unless the call is prearranged, since his phone is not regularly checked for messages.

If you wish to talk to the convenor or a tutor face-to-face then it is best to attend their **consultation sessions** (see *iLearn* for the day and time). If you wish to attend then you should notify the convenor or tutor (as appropriate) in advance. If you are unable to attend due to timetable clashes then you should email the convenor or tutor (as appropriate) to arrange a mutually convenient appointment.

## Disruption to study

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for special consideration are to be submitted electronically via [ask.mq.edu.au](http://ask.mq.edu.au) and should be accompanied by supporting documentation. Students should refer to the [Disruption to Studies policy](#) for complete details of the policy and a description of the supporting documentation required.

Note below for information on what to do if you miss a weekly quiz or a tutorial.



## Word limits and submission of work

Word limits will be strictly applied and work above the word limit will not be marked. All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

## What do I do if I miss a tutorial?

In accordance with University policy, students who fail to meet the tutorial participation requirement, but are nevertheless assessed as having made a serious first attempt to do so, will be given one further opportunity. This further opportunity may take the form of one or more of the following: additional tutorials, a one-to-one oral examination with a tutor or the convenor, or additional written work. Students who are assessed as not having made a serious first attempt to meet the tutorial participation requirement will be given no second opportunity and will simply fail the unit.

Whether you are assessed as having made a serious first attempt to meet the tutorial participation requirement will depend on a number of factors, including:

1. the number of classes you miss during the session;
2. the extent to which you actively participate in the classes you attend;
3. whether or not your absences were due to disruptions that qualify as 'serious and unavoidable' for the purposes of the University's Disruption to Studies policy. Note that in order to qualify as 'serious and unavoidable', your disruption must be of at least three consecutive days' duration. You will also need to notify the University of that disruption in accordance with the Disruption to Studies procedure (ie online, via ask.mq, supporting your notification with satisfactory documentation).

What action you should take in the event of missing a class depends on your particular circumstances. If you have been attending regularly to date, and if you have participated actively in the classes you attend then you may not need to do anything if all you do is miss two or three classes. (As a general guideline for minimum attendance and participation, you should aim to attend at, and participate actively in, at least 10 out of 13 classes.)

If you find that you are regularly missing classes, or have concerns about your participation, then it would be sensible to discuss the matter with your tutor. Ultimately, you may need to consider withdrawing from the unit. Students who are in danger of failing the unit on account of unsatisfactory tutorial attendance will receive a written warning sometime around the middle of the session. If necessary, this will be followed up with subsequent warnings. Students who receive warnings are particularly encouraged to seek guidance from their tutor.

## What do I do if I miss a quiz?

Ultimately, the situation is governed by the University's Disruption to Studies Policy. Even so, note that students are afforded 12 opportunities to complete just 10 quizzes. That means that if you miss one or two quizzes during the course of the session then you need not rush into taking

action. That saves you the burden of needing to compile documentary evidence and applying online for special consideration in accordance with the Disruption to Studies Policy. You only need to do that if you miss more than two quizzes.

If your Disruption to Studies application is successful then you will be granted permission to complete a supplementary quiz in the event of your being unable to complete 10 out of the 12 standard quizzes. Questions for these supplementary quizzes will be released at the beginning of Week 13 and the deadline for these supplementary quizzes will fall at the end of Week 13.

If you do not qualify for special consideration then you will simply have to forego the marks for the missed quiz. If you miss more than two quizzes then that does not automatically result in a fail.

You are strongly recommended not to miss a quiz unless it is unavoidable to do so. By assiduously attempting all quizzes from the outset you will be able to keep two quizzes in reserve. Having quizzes in reserve may prove extremely helpful if you later miss a quiz due to circumstances that do not qualify for special consideration (eg you suffer a disruption of fewer than three days' duration or you simply forget a quiz deadline). By holding two quizzes in reserve, you would still have an opportunity to achieve full marks in the quiz component of the unit.

## Moderation

Detailed marking rubrics will be made available on iLearn. Markers in this unit undertake a process of 'blind marking' to establish a common marking standard and all Fail papers are double marked.

## Student Support

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

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

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.

## Graduate Capabilities

### PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

#### Assessment tasks

- Foundation Quizzes 1.1 to 1.4
- Program advice exercise

### PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

#### Learning outcomes

- Demonstrate an advanced and integrated understanding of how Australia regulates important aspects of the media.
- Apply key aspects of Australian media regulation to real or hypothetical situations.
- Advise in relation to some typical legal problems encountered by journalists and media outlets in Australia.

#### Assessment tasks

- OCS participation
- Quizzes
- Program advice exercise
- Research assignment

## PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

### Learning outcomes

- Demonstrate an advanced and integrated understanding of how Australia regulates important aspects of the media.
- Through independent research and writing, compare medium-neutral and medium-specific speech regulation in at least two jurisdictions.
- Through independent research and writing, critique the ideas of JS Mill as they relate to freedom of expression, doing so in the context of real-world media regulation in various jurisdictions.

### Assessment tasks

- OCS participation
- Quizzes
- Research assignment

## PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

### Learning outcomes

- Advise in relation to some typical legal problems encountered by journalists and media outlets in Australia.
- Through independent research and writing, compare medium-neutral and medium-specific speech regulation in at least two jurisdictions.
- Through independent research and writing, critique the ideas of JS Mill as they relate to freedom of expression, doing so in the context of real-world media regulation in various jurisdictions.

## Assessment tasks

- OCS participation
- Quizzes
- Program advice exercise
- Research assignment

## PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

## Learning outcomes

- Advise in relation to some typical legal problems encountered by journalists and media outlets in Australia.
- Through independent research and writing, compare medium-neutral and medium-specific speech regulation in at least two jurisdictions.
- Through independent research and writing, critique the ideas of JS Mill as they relate to freedom of expression, doing so in the context of real-world media regulation in various jurisdictions.
- Participate constructively in discussion and other classroom activities in order to understand, analyse, compare and critique media regulation in Australia and overseas.

## Assessment tasks

- Program advice exercise
- Research assignment

## Changes from Previous Offering

The Foundation Quizzes are a new feature of this unit and have been introduced to facilitate more effective learning and teaching.

## Changes since First Published

Date	Description
25/01/2017	The dates of the on-campus session have been corrected. The correct dates are 22 and 23 April 2017.