LAWS5084

Media Law

Session 1, Weekday attendance, North Ryde 2020

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff Daniela Simone daniela.simone@mq.edu.au
Credit points 10
Prerequisites (80cp in LAW or LAWS units) or (130cp including MMCC2014 or MAS214)
Corequisites
Co-badged status
Unit description How do different countries decide who should control the media, as well as what they should and should not show? If we value free speech, how should we regulate material such as political debate, defamation, privacy, pornography, vilification and advertising? How do we hit the right balance between state media control and the right of individuals to free expression? These issues are regulated under Media Law. While focusing on Australia, this unit takes an international and comparative perspective to analysing how media issues are regulated. Students will examine topics such as the day-to-day legal restrictions on the media and what it is like to advise on media content.

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: Demonstrate an advanced knowledge of how Australia regulates important aspects of the media.

ULO2: Apply key and relevant aspects of Australian media laws and regulation to resolve real or hypothetical situations

ULO3: Provide advise in relation to potential legal challenges encountered by journalists and media outlets in Australia.

ULO4: Through independent research and writing, compare at least one important facet

of Australian media regulation with the approach adopted by one or more jurisdictions outside Australia.

ULO5: Apply theoretical frameworks in order to evaluate Australian media regulation vis-a-vis that of a comparator jurisdiction.

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult iLearn for revised unit information.

Find out more about the Coronavirus (COVID-19) and potential impacts on staff and students

General Assessment Information

Some Explanation on the Assessments:

1. The Essay (40%) of final grade will be a research paper on a topic to be assigned in iLearn. This is due by 11:59 PM on Tuesday 5 May 2020

2. Professional writing will be in the format of an online mid-term examination (20% of final grade) on 24 April 2020 between 1PM and 3PM + reading time

3. Weekly quizzes consist of weekly discussion in the tutorials. This will be merged with the Quiz Test (effectively a final examination) for assessment purposes for a total of 40% of final grade. We will discuss this format in the tutorials. This makes attendance at the tutorials very important. This assessments will be online on Saturday 13 June from 1 - 3 PM + reading time

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Media law - is this something different from entertainment law? Yes and no. In this course, our emphasis will be on 21st Century media, which is really entertainment. Unlike traditional media law courses that focus on newspapers, radio, and television, we will focus on media that is more prevalent - the Cyber World. This change of focus contains some challenges as the law is far from settled. Just consider, as newspapers fail around the world, computer gaming has grown to the point where gaming now generates more money annually than television. We would be

remiss and very out of date if we did not take up social media and all of its worldwide ramifications. To borrow a phrase from Charles Dickens, from the viewpoint of media law, this is the best of time , this is the worst of times. The best of times because so much is happening, the worst of times because the legal landscape changes faster than we can adapt.

It is naive to think that we can predict the world of media five years from now. To avoid being legal dinosaurs, I have added a substantial amount of media theory to this course so that as lawyers, you will be better equipped to deal with whatever the future will bring.

This course contains 13 weekly topics that are described in the iLearn website. Power Point slides accompany each lecture. The lectures are available in live theatre as well as on recordings. You are encouraged to attend the live lectures as there is frequently an opportunity for questions.

Attendance and participation in the tutorials are absolutely essential to successful completion of this course. Assessment topics are frequently derived from the materials addressed in the tutorials. For example, much of the contemporary issues concerning 21st Century media and regulation is dealt with in the tutorials as opposed to the lectures.

Readings for this course involve a combination of: (1) The prescribed casebook; (2) Readings on Leganto, and (3) Current materials distributed in class or made available on iLearn

The prescribed casebook is Media Law (2d edition) by David Rolph et al (Oxford 2015). This text provides a good foundation on which we will create media law for 2021

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult iLearn for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Our goal is to learn law in a very contemporary context. While details are provided on iLearn, and everything is subject to change, here are some of the subjects that we will be dealing with:

1. Media and Entertainment - what are they? Are they the same?

2. Freedom of expression

3. A bit of copyright law

4. The Nature of Media

5. Media in the Digital Age

6. Computer games as media

7. Restraints on freedom of expression - defamation, privacy, obscenity (whatever that means in 2020), censorship and suppression

8. Law of the Internet

9. Law of Social Media

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). 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
- Grade Appeal Policy
- Complaint Management Procedure for Students and Members of the Public
- Special Consideration Policy *(**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)*

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

If you would like to see all the policies relevant to Learning and Teaching visit Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/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 ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

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) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- Getting help with your assignment
- Workshops
- StudyWise
- 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

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

If you are a Global MBA student contact globalmba.support@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/.

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.

Changes from Previous Offering

Media law is constantly changing in an attempt to keep up with changing media environments. In 2020, we address some copyright basics because that is essential to dealing with the new media - especially social media and computer gaming.