

## 730-812 Defamation Law

<b>Credit Points:</b>	12.500
<b>Level:</b>	Graduate/Postgraduate
<b>Dates &amp; Locations:</b>	2008, This subject commences in the following study period/s: Semester 2, - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
<b>Prerequisites:</b>	Note Candidates who have completed 'Defamation and Privacy' cannot enrol in this subject.
<b>Corequisites:</b>	N.A.
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	N.A.
<b>Coordinator:</b>	A/Prof Andrew Kenyon, Prof Rod Smolla
<b>Subject Overview:</b>	<p><b>Objectives:</b></p> <p>A candidate who has successfully completed the subject should have:</p> <ul style="list-style-type: none"> <li># A detailed understanding of the ways in which Anglo-Australian and US defamation laws regulate free speech in relation to reputation</li> <li># A professional ability to synthesise and apply the legal principles and respond to challenges posed by defamation law in relation to contemporary media practices</li> <li># Well-developed techniques for evaluating the law and analysing divergent legal norms in Anglo-Australian and US defamation law</li> <li># A critical awareness of important defamation law reform proposals, drawing on comparative materials</li> <li># A sophisticated ability to undertake defamation law scholarship.</li> </ul> <p><b>Syllabus:</b></p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Free speech and reputation: Australia and the US</li> <li># Choice of law and jurisdiction</li> <li># The Anglo-Australian plaintiffs case: What is defamatory?</li> <li># US defamation law: The legacy of New York Times v Sullivan</li> <li># Australian defences: Truth</li> <li># Australian defences: Opinion</li> <li># Australian defences: Privilege and fair reports</li> <li># Pre-publication advice and litigation</li> <li># Remedies.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (15-18 August) or Research paper 10,000 words (100%) (2 October) (topic approved by the subject coordinator)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.

<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	Please see the Subject Objectives for this information.
<b>Links to further information:</b>	For the latest information on this subject, please visit: <a href="http://www.masters.law.unimelb.edu.au/subject/730812">http://www.masters.law.unimelb.edu.au/subject/730812</a>