

## LAWS70181 Defamation Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2012, Parkville This subject commences in the following study period/s: November, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	None.
<b>Corequisites:</b>	None.
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None.
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) or phone +61 3 8344 6190. Alternatively, visit our website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	There is no international consensus as to an appropriate balance to be struck by defamation laws between freedom of expression and the protection of reputation. The increasingly cross-border nature of communications has heightened the potential for conflict between different jurisdictions' laws. The subject examines Australia's defamation law and practice alongside a close analysis of other important common law jurisdictions, particularly United Kingdom and North American, to enable students to analyse, apply and critically evaluate defamation laws in contemporary contexts.  The subject brings together three leading media law experts. Professor Andrew Kenyon is Deputy Dean of Melbourne Law School, Director of its Centre for Media and Communications Law and is internationally recognised for his research and writing on comparative defamation law. Dr Matt Collins is an Australian barrister and author of a leading international text on the application of defamation laws to digital media. Mr Godwin Busuttill is a London barrister, contributing editor to the Commonwealth's leading practitioner text on defamation law and co-editor of the <i>Entertainment and Media Law Reports</i> .

	<p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Free speech and reputation: Australia and the United States</li> <li># Choice of law and jurisdiction</li> <li># The Anglo-Australian plaintiff's case: What is defamatory?</li> <li># United States defamation law: The legacy of New York Times v Sullivan</li> <li># Australian defences: Truth and opinion</li> <li># Privilege and fair reports</li> <li># Pre-publication advice and litigation</li> <li># Remedies.</li> </ul>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should have:</p> <ul style="list-style-type: none"> <li># A detailed understanding of the ways in which Anglo-Australian and United States 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 Australian and US defamation law</li> <li># A critical awareness of important defamation law reform proposals, drawing on comparative materials.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (12 pm 11 January to 5 pm 14 January 2013) or 10,000 word research paper (100%) (18 February 2013) on a 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. Visit the Melbourne Law Masters website for more information about this subject.
<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>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5170">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5170</a>