

LAWS70184 Free Speech, Contempt and the Media

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2013, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	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.
Non Allowed Subjects:	None
Core Participation Requirements:	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 and critique 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 to 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: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	It has been over 20 years since the High Court confirmed the existence and operative effect of the implied constitutional guarantee of freedom of governmental and political communication in the landmark decision in <i>Lange v ABC</i> . Yet freedom of speech in Australia remains subject to a wide range of legal limitations, many of which would be struck down as unconstitutional in other common law jurisdictions. This subject explores the limitations on free speech that arise as a result of proceedings and processes initiated by arms of the state and prosecutorial authorities: legislative, executive and judicial, and from censorship of sexually explicit material to restrictions applying to the advocacy of terrorism. Those restrictions profoundly affect the material that may be published by the media. It is the impact of the current restrictions on free speech on both the media and on non-media elements of civil society that are the focus of this subject. This subject provides an examination of Australian law affecting the media's ability to report the courts, the executive and parliament. Principal topics will include: # Contempt of court # Contempt of parliament # Offensive publications: Violence, pornography and racism # Seditious publications

	<ul style="list-style-type: none"> # Access to information in court # Government information: Security and official secrets # Freedom of speech: Theoretical issues and international perspectives.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand current Australian law concerning the issue of free speech in relation to the institutions of the state, including parliament, the executive government and the courts # Be aware of philosophical perspectives affecting the way in which the media is regulated, and the roles of media speech in contemporary society # Be familiar with local case studies and international comparisons concerning the regulation of free speech.
Assessment:	Class participation (10%) Take-home examination (90%) (3–6 May) or 8,000 word research paper (90%) (12 June) on a topic approved by the subject coordinator
Prescribed Texts:	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.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	http://www.law.unimelb.edu.au/subject/LAWS70184/2013