

BLAW10002 Free Speech and Media Law

Credit Points:	12.5
Level:	1 (Undergraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.
Time Commitment:	Contact Hours: 36 hours. Total Time Commitment: 120 hours.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: www.services.unimelb.edu.au/disability/ .
Coordinator:	Mr Jason Bosland
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	<p>Our current laws regarding free speech and media have grown up in an era of mainstream media institutions. Now every individual with a computer or mobile device and access to the internet can record, report and comment on events, and frequently does. The old focus on organised media and largely passive audience is breaking down. As a result, the regulation of free speech and media has to contemplate the whole gamut of media from highly institutionalised to highly diffused, and the question is whether these diverse arrangements can be addressed without unduly constraining public debate.</p> <p>Principle topics:</p> <ul style="list-style-type: none"> # Introduction: law's regulation of free speech and media; # History and philosophy of free speech: pamphlets and coffee houses, broadsheet and tabloid press, radio, newsreels and cinema, modern media; # Development of a 'media law': the inherited British tradition of law-making and interpretation, role of the High Court, international influences on local law etc; # The High Court's implied constitutional freedom of political communication: an 'invented tradition'; comparisons with explicit rights frameworks in other jurisdictions (especially US); problems of the national law approach in an interconnected environment; # Censoring the media: defamation laws, their social and political origins; # Contemporary defamation laws: legal standards in social flux; # Censoring the media: copyright and proprietary controls, limits and prospects; # Blasphemy and obscenity laws and the shaping of public opinion; new laws concerned with 'offensive behaviour'; # Confidentiality, privacy and the media: coexistence or conflict? # Managing legal processes and media concerns: contempt, injunctions and the breakdown of order; # Trespass, hacking and the 'right' to protest; # Possible futures - disaggregating free speech and media.

Learning Outcomes:	<p>On completion of this subject students should:</p> <ul style="list-style-type: none"> # Recognise that free speech and the media have various legal connection points; # Appreciate the multiple ways in which free speech and the media may be protected and restricted by the law; # Understand the basic features of the legal treatment of free speech and the media.
Assessment:	Tutorial attendance and participation (10%); Reflective essay 1,500 words (30%); Examination (60%).
Prescribed Texts:	Printed materials will be available from the University Co-Op Bookshop.
Breadth Options:	<p>This subject potentially can be taken as a breadth subject component for the following courses:</p> <ul style="list-style-type: none"> # Bachelor of Arts (https://handbook.unimelb.edu.au/view/2015/B-ARTS) # Bachelor of Biomedicine (https://handbook.unimelb.edu.au/view/2015/B-BMED) # Bachelor of Commerce (https://handbook.unimelb.edu.au/view/2015/B-COM) # Bachelor of Environments (https://handbook.unimelb.edu.au/view/2015/B-ENVS) # Bachelor of Science (https://handbook.unimelb.edu.au/view/2015/B-SCI) <p>You should visit learn more about breadth subjects (http://breadth.unimelb.edu.au/breadth/info/index.html) and read the breadth requirements for your degree, and should discuss your choice with your student adviser, before deciding on your subjects.</p>
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	<p>On completion of the subject the student should have:</p> <ul style="list-style-type: none"> # Capacity for self-directed learning, specifically the ability to plan work and use time effectively; # Cognitive and analytical skills; # Ability to speak about complex ideas in a clear and cogent manner; # An awareness of diversity and plurality; # Write essays which develop structured argumentation; # Capacity to judge the worth of their own arguments.
Related Breadth Track(s):	Law - Media and Intellectual Property Law