

# LAWS70428 Newsgathering

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2015.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<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 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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: 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> ) Phone: +61 3 8344 6190 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>	<p>Whether journalists serve collectively as some citizen-informing 'fourth estate' or act instead merely to satisfy the consumer desire for entertainment, they need access to information. Journalists rely upon being able to disclose or convey content that is unavailable to, or at least unexploited by, others. Some will obtain this information by fair means, others by foul. The core aim of this course is to consider how law and other forms of regulation influence pre-publication behaviour.</p> <p>The course reviews a range of news and information gathering practices, and assesses the extent to which such behaviour is facilitated or proscribed by law and/or regulation. The themes in the course will be taught through the comparative review of English, Australian and United States law. Dr Andrew Scott is a senior lecturer in media law at the London School of Economics.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># The relationship between newsgathering practices and constitutional guarantees of free speech</li> <li># The protection of sources and materials (in principle; in the context of crime, terrorism and official secrets; payment of sources).</li> </ul>

	<ul style="list-style-type: none"> <li># Access to government information (freedom of information; news management)</li> <li># Journalism and justice (access to the courts and court documents; cameras and other technology in court; access to prisoners; policemedia interaction)</li> <li># Surreptitious and invasive methods (harassment; subterfuge and secret recording; entrapment; regulating the 'dark arts' – hacking, blagging and tapping; a 'law-breaking privilege'?)</li> <li># The influence of publication torts on newsgathering.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have a specialised understanding of the range of newsgathering practices and the legal and regulatory concerns that these practices generate</li> <li># Appreciate and explain the divergences of approach to these concerns in a number of legal jurisdictions</li> <li># Appreciate and explain the influence of constitutional, political and commercial factors on newsgathering practices and regulatory responses</li> <li># Be an engaged participant in debate regarding emerging and contemporary issues in the field</li> <li># Be able to critically examine and assess the effectiveness of the legal and regulatory rules that have been or should be developed to address these concerns</li> <li># Have the skills to generate critical and creative ideas relating to newsgathering and regulatory responses, and to evaluate existing legal theories, principles and concepts with creativity and autonomy</li> <li># Have the technical skills to independently examine, research and analyse existing and emerging legal issues relating to newsgathering</li> <li># Have the communication skills to clearly articulate and convey complex information regarding newsgathering.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) or 10,000 word research paper (100%) 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. Details regarding any prescribed texts will be provided prior to the commencement of the 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/subject/LAWS70428/2013">www.law.unimelb.edu.au/subject/LAWS70428/2013</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ) for further information about the management of subject quotas and waitlists.