

BLAW10002 Free Speech and Media Law

Credit Points:	12.5
Level:	1 (Undergraduate)
Dates & Locations:	<p>2016, Parkville</p> <p>This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.</p>
Time Commitment:	Contact Hours: 36 hours (one 1.5 hour lecture and one 1.5 hour tutorial per week) Total Time Commitment: 120 hours
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	<p><p>For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.</p> <p>It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: http://services.unimelb.edu.au/disability</p></p>
Coordinator:	Mr Jason Bosland
Contact:	<i>Contact Stop 1 (http://students.unimelb.edu.au/stop1)</i>
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>Principal topics:</p> <ul style="list-style-type: none"> # Introduction: law's regulation of free speech and media; # History and philosophy of free speech; # 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; comparisons with explicit rights frameworks in other jurisdictions (especially US); problems of the national law approach in an interconnected environment; # Reporting the courts and constraints on freedom of speech: contempt, suppression orders and the right to a fair trial; # Censoring the media: defamation laws and the significant constraints they impose on speech; # Contemporary and comparative defamation laws and their reform; # Confidentiality, privacy and the media; # The protection of journalists' sources; # Blasphemy and obscenity laws and the shaping of public opinion; racial and religious vilification and other forms of 'offensive' speech;

	# Possible futures - disaggregating free speech and media.
Learning Outcomes:	On completion of this subject students should: # 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 assignment 1,500 words (30%); Examination (60%). The due date of the above assessment will be available to enrolled students via the LMS.
Prescribed Texts:	Printed materials will be available from the University Co-Op Bookshop.
Breadth Options:	This subject potentially can be taken as a breadth subject component for the following courses: # <u>Bachelor of Arts</u> (https://handbook.unimelb.edu.au/view/2016/B-ARTS) # <u>Bachelor of Biomedicine</u> (https://handbook.unimelb.edu.au/view/2016/B-BMED) # <u>Bachelor of Commerce</u> (https://handbook.unimelb.edu.au/view/2016/B-COM) # <u>Bachelor of Environments</u> (https://handbook.unimelb.edu.au/view/2016/B-ENVS) # <u>Bachelor of Science</u> (https://handbook.unimelb.edu.au/view/2016/B-SCI) You should visit <u>learn more about breadth subjects</u> (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.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	On completion of the subject the student should have: # 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