

## LAWS90007 Media Regulation and Freedom of Speech

<b>Credit Points:</b>	12.5																					
<b>Level:</b>	9 (Graduate/Postgraduate)																					
<b>Dates &amp; Locations:</b>	This subject is not offered in 2016. This subject has a quota of 60 students. Details on quota subject selection are available on the JD website.																					
<b>Time Commitment:</b>	Contact Hours: 36 hours. Total Time Commitment: 144 hours.																					
<b>Prerequisites:</b>	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50028 Constitutional Law	Semester 2	12.50	LAWS50031 Legal Theory	Semester 2	12.50
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<b>Corequisites:</b>	None																					
<b>Recommended Background Knowledge:</b>	None																					
<b>Non Allowed Subjects:</b>	None																					
<b>Core Participation Requirements:</b>	<p>Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study at Melbourne Law School are: The ability to attend 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 must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving 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>.</p>																					
<b>Contact:</b>	<p>Email: <a href="mailto:law-aso@unimelb.edu.au">law-aso@unimelb.edu.au</a> (<a href="mailto:law-aso@unimelb.edu.au">mailto:law-aso@unimelb.edu.au</a>)  Phone: +61 3 8344 4475  Website: <a href="http://www.law.unimelb.edu.au/jd">www.law.unimelb.edu.au/jd</a> (<a href="http://www.law.unimelb.edu.au/jd">http://www.law.unimelb.edu.au/jd</a>)</p>																					
<b>Subject Overview:</b>	<p>The focus of the subject is on freedom of speech, media freedom and the law. The first part of the course looks at the key theories and writings about freedom of speech and media freedom. It then considers the legal protection of, and cultural attitudes towards, freedom of speech and media freedom across a range of jurisdictions (including Australia, the UK, the US and Continental Europe), with particular attention given to different constitutional and human rights contexts. The second part of the course explores media freedom and freedom of speech through a series of comparative case studies that focus on specific areas of legal restraint on media freedom - for example, hate speech (racial and religious vilification), restrictions</p>																					

	on offensive publications, national security and sedition, issues regarding newsgathering, protection of journalists' sources, freedom of information (FOI) and access to documents, and media regulation.
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have a detailed, advanced and critical understanding of theories of freedom of speech and media freedom;</li> <li># Have a detailed, advanced and critical understanding of the legal protections of freedom of speech and media freedom across a range of different jurisdictions;</li> <li># Have an advanced knowledge of the constitutional and human rights contexts in which freedom of speech and media freedom receive legal protection;</li> <li># Be able to reflect upon, in a highly advanced and critical way, the various constraints imposed upon freedom of speech across a range of different jurisdictions; and</li> <li># Be able to express, in written form, advanced arguments regarding the theoretical underpinnings of freedom of the media and the legal constraints imposed upon freedom of speech across a range of different jurisdictions, using appropriate comparative techniques.</li> </ul>
<b>Assessment:</b>	Case study focusing on one or more selected readings (10%); Optional research essay on a topic approved by the subject coordinator (6,000 words) OR open book examination (3 hours) (90%).
<b>Prescribed Texts:</b>	Printed materials will be provided by Melbourne Law School.
<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>Generic Skills:</b>	<p>On completion of this subject, students will have demonstrated the ability to:</p> <ul style="list-style-type: none"> <li># Understand and critically reflect upon the principal theoretical material regarding freedom of speech and media freedom;</li> <li># Understand and critically reflect upon the legal restraints imposed on freedom of speech and media freedom;</li> <li># Critically analyse legal and scholarly developments in the area of freedom of speech and media freedom;</li> <li># Communicate their analysis of the law and legal developments in appropriate written forms.</li> </ul>