



## UNSW Course Outline

# LAWS8139 Law and the Culture Industries - 2024

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## General Course Information

**Course Code :** LAWS8139

**Year :** 2024

**Term :** Term 3

**Teaching Period :** T3

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Law, Society and Criminology

**Delivery Mode :** In Person

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Postgraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

This course examines the regulation of the culture industries and the ownership of cultural production: Arts, Film, Broadcasting, Music, Gaming, Telecommunications and Social Media. Innovation and technological convergence creates opportunities for new and enhanced leisure

and social activities, but these developments often concurrently raise issues across intellectual property, content regulation, defamation, broadcasting, and privacy laws. This course evaluates this intersection between legal, technological, political and economic issues, in addition to considering the role of and need for national law reform, international treaties, industry bodies and standards, and technologies of control.

## **Main topics**

Introduction to media regulation, intellectual property, privacy and defamation laws; trade barriers; national innovation policy; and global policies affecting the Internet and entertainment industries

- Entertainment franchises
- Celebrity
- AI
- Music and Streaming
- Film
- Games
- Art
- Literature

## **Course Aims**

- Demonstrate an understanding of the fundamentals of law and regulation of the culture industries
- Locate and understand relevant laws and bodies with regulatory oversight
- Identify how technological change impacts on creators and industry actors
- Discuss contemporary global trends and regulatory challenges to cultural consumption
- Identify potential for further law reform
- Be aware of the practical limits of statute and litigation in resolving disputes
- Note the economic realities that lead to particular outcomes

# Course Learning Outcomes

Course Learning Outcomes
CLO1 : Examine and engage in complex critical analysis of the legal regulation of the culture industries in Australia and internationally (PLO 1a)
CLO2 : Demonstrate high level skills of oral communication by debating and discussing course concepts in a scholarly, reflective and respectful manner (PLOs 1a, 2a & 3b)
CLO3 : Investigate and adopt appropriate research methodologies and produce a research essay plan that identifies and synthesises relevant legal, technological, social, political and economic issues in a chosen field of law affecting the cultural industries (PLOs 1a, 1b, 2a, 2b, 3a & 4)
CLO4 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in laws affecting the culture industries, through completion of an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a & 4)

Course Learning Outcomes	Assessment Item
CLO1 : Examine and engage in complex critical analysis of the legal regulation of the culture industries in Australia and internationally (PLO 1a)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Research Essay Plan</li> <li>• Research Essay</li> </ul>
CLO2 : Demonstrate high level skills of oral communication by debating and discussing course concepts in a scholarly, reflective and respectful manner (PLOs 1a, 2a & 3b)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>
CLO3 : Investigate and adopt appropriate research methodologies and produce a research essay plan that identifies and synthesises relevant legal, technological, social, political and economic issues in a chosen field of law affecting the cultural industries (PLOs 1a, 1b, 2a, 2b, 3a & 4)	<ul style="list-style-type: none"> <li>• Research Essay Plan</li> <li>• Research Essay</li> </ul>
CLO4 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in laws affecting the culture industries, through completion of an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a & 4)	<ul style="list-style-type: none"> <li>• Research Essay Plan</li> <li>• Research Essay</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System

# Assessments

## Assessment Structure

Assessment Item	Weight	Relevant Dates
Class Participation Assessment Format: Individual	20%	Start Date: Ongoing Due Date: Ongoing
Research Essay Plan Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: 27/09/2024 05:00 PM
Research Essay Assessment Format: Individual	60%	Start Date: Not Applicable Due Date: 22/11/2024 05:00 PM

## Assessment Details

### Class Participation

#### Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and group work.

#### Course Learning Outcomes

- CL01 : Examine and engage in complex critical analysis of the legal regulation of the culture industries in Australia and internationally (PLO 1a)
- CL02 : Demonstrate high level skills of oral communication by debating and discussing course concepts in a scholarly, reflective and respectful manner (PLOs 1a, 2a & 3b)

#### Detailed Assessment Description

Class participation will be assessed on all contributions to classes. A consistent failure to engage will have a negative impact on a student's class participation result.

Students are expected to have sufficient English language competency so as not to require use of AI translation in class.

#### Generative AI Permission Level

##### No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

Students are expected to have sufficient English language competency so as not to require use of AI translation in class.

# Research Essay Plan

## Assessment Overview

This assessment requires you to write an essay plan.

## Course Learning Outcomes

- CL01 : Examine and engage in complex critical analysis of the legal regulation of the culture industries in Australia and internationally (PLO 1a)
- CL03 : Investigate and adopt appropriate research methodologies and produce a research essay plan that identifies and synthesises relevant legal, technological, social, political and economic issues in a chosen field of law affecting the cultural industries (PLOs 1a, 1b, 2a, 2b, 3a & 4)
- CL04 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in laws affecting the culture industries, through completion of an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a & 4)

## Detailed Assessment Description

This assessment requires you to complete a 1,000 word essay plan comprised of two parts:

**PART A. RESEARCH STRATEGY: 40% (8/20 marks available)**

**PART B. RESEARCH THESIS OVERVIEW: 60% (12/20 marks available)**

Detailed information about the Research Essay Plan will be available on the Moodle course page.

## Assessment Length

1,000 words

## Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

## Generative AI Permission Level

### **Simple Editing Assistance**

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

For more information on Generative AI and permitted use please see [here](#).

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the Student Integrity team for investigation.

## **Research Essay**

### **Assessment Overview**

This assessment requires you to write a research essay.

### **Course Learning Outcomes**

- CL01 : Examine and engage in complex critical analysis of the legal regulation of the culture industries in Australia and internationally (PLO 1a)
- CL03 : Investigate and adopt appropriate research methodologies and produce a research essay plan that identifies and synthesises relevant legal, technological, social, political and economic issues in a chosen field of law affecting the cultural industries (PLOs 1a, 1b, 2a, 2b, 3a & 4)
- CL04 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in laws affecting the culture industries, through completion of an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a & 4)

### **Detailed Assessment Description**

This assessment requires you to complete a 5,000 written essay comprised of two parts:

**PART A. EXPLANATION OF ESSAY DEVELOPMENT (500 words) Worth: 25% or 10/40 marks**

**PART B. ESSAY (4,500 words) Worth: 75% or 30/40 marks**

Your research essay must respond to one of the set questions and build on your submission within the Research Essay Plan assessment.

You are encouraged to include views, evidence, and published works beyond those specifically

raised in the course. However, the content of your essay should lie squarely within the concerns of the course.

As a guide the Research Essay is due approximately one week after the final class. Detailed information about the Research Essay, including specific details about submission, will be available on the Moodle course page.

### **Assessment Length**

5,000 words

### **Generative AI Permission Level**

#### **Simple Editing Assistance**

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

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## **General Assessment Information**

For further information on generative AI use in the Faculty of Law & Justice, please review the

section titled 'Academic Honesty and Plagiarism' under the 'Other Useful Information' tab.

### Grading Basis

Standard

## Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 9 September - 15 September	Seminar	Introduction to Regulation Affecting Law & the Culture Industries: law, regulation, technology, industry histories
Week 2 : 16 September - 22 September	Seminar	White Australia has a Black History
Week 3 : 23 September - 29 September	Seminar	Celebrity rights and AI Fakes
Week 4 : 30 September - 6 October	Seminar	Platform capitalism, Artist Incomes and Fans
Week 7 : 21 October - 27 October	Seminar	Art and Public Space
Week 8 : 28 October - 3 November	Seminar	The Music Industry: Recording, Performing, Streaming and Merchandise
Week 9 : 4 November - 10 November	Seminar	The film industry: Global distribution and local content rules
Week 10 : 11 November - 17 November	Seminar	Gaming and gamers

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Course Resources

### Prescribed Resources

There is no set text for this subject. Materials are tailored for each topic and thematically organised for each topic. Please consult Moodle for the readings for each class. All class materials are available on Leganto.

### Recommended Resources

For students who are new to Australian law a number of introductory sources can be found on the Moodle page.



# Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Kathy Bowrey					Yes	Yes

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

### UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

### Generative AI

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the wrongful use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the Student Integrity team for investigation. Please go to the link for further information about [referencing and acknowledging the use of artificial intelligence tools](#).

### Prohibition on use of translation apps

With limited exceptions for language study, the course of study and assessment in Australian universities must be in English (Higher Education Standard Framework (Threshold Standards) 2021 1.5 6(c)).

In Law & Justice many classes have assessable class participation. This must be in English. **Use of a translation device to assist with contributions to class discussion is not allowed.** Marks for class participation may be reduced where use of translation devices is detected. Similar

prohibitions apply to use of any other generative text app that is not specifically permitted by the class teacher. However, use of translation software to assist a student to understand material outside of class, or to assist with preparation for assessment is generally permitted.

Further considerations apply to LLB and JD students. International lawyers who seek to be admitted in NSW must satisfy an English proficiency test. That test is expressed as equivalent to IELTS scores of 7.0 -8.0 across the tests. It is assumed that UNSW graduates are at or above those levels of English proficiency. Use of translation apps can impede the attainment of that level of proficiency. Students should avoid behaviours that put them at risk of breach of legal requirements which can have significant consequences, including potential consequences for your admission as a lawyer.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

### Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your

teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.