



UNSW Course Outline

SAHT9113 Cultural Heritage, Ethics & the Law - 2024

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General Course Information

Course Code : SAHT9113

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : Faculty of Arts, Design and Architecture

Academic Unit : School of Art & Design

Delivery Mode : Multimodal

Delivery Format : Standard

Delivery Location : Paddington

Campus : Paddington

Study Level : Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

Accountability and responsibility are two of the key issues at the heart of every cultural transaction and exchange. Therefore a strong professional understanding of ethics and the law are essential for graduates aspiring to curatorial roles and cultural leadership.

This course is designed to examine the ethical and legal implications of interactions between artists, curators, exhibiting spaces and the public. It will enable the development of a broad critical perspective on the cultural, legal, political and moral contexts of mainstream and alternate cultural spaces. Issues discussed include theft and illegal export of cultural heritage items, curatorial conflicts, contracts, copyright, moral rights, art in public spaces, and censorship.

Course Aims

This course aims to provide students with

- 1) the opportunity to examine the ethical and legal implications of interactions between artists, curators, exhibiting spaces and the public.
- 2) a broad critical perspective on the cultural, legal, political and moral contexts of mainstream and alternate cultural spaces.

Course Learning Outcomes

Course Learning Outcomes
CL01 : Analyse ethical and legal principles in a curatorial context and their impact on cultural practices.
CL02 : Develop and support arguments on current legal and ethical issues relating to curatorial contexts.
CL03 : Communicate ethical ideas and information relevant to cultural property and legal issues.
CL04 : Appraise legal resources and support available to cultural practitioners.

Course Learning Outcomes	Assessment Item
CL01 : Analyse ethical and legal principles in a curatorial context and their impact on cultural practices.	<ul style="list-style-type: none">• Critical Analysis• Essay
CL02 : Develop and support arguments on current legal and ethical issues relating to curatorial contexts.	<ul style="list-style-type: none">• Essay
CL03 : Communicate ethical ideas and information relevant to cultural property and legal issues.	<ul style="list-style-type: none">• Critical Analysis• Essay
CL04 : Appraise legal resources and support available to cultural practitioners.	<ul style="list-style-type: none">• Critical Analysis• Essay

Learning and Teaching Technologies

Moodle - Learning Management System | Zoom | Echo 360 | Miro

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Critical Analysis Assessment Format: Individual	40%	Start Date: Not Applicable Due Date: 25/03/2024 11:59 PM
Essay Assessment Format: Individual	60%	Start Date: Not Applicable Due Date: 22/04/2024 11:59 PM

Assessment Details

Critical Analysis

Assessment Overview

For this assessment, you will write a short analysis focusing on one of the weekly readings or case studies.

Course Learning Outcomes

- CL01 : Analyse ethical and legal principles in a curatorial context and their impact on cultural practices.
- CL03 : Communicate ethical ideas and information relevant to cultural property and legal issues.
- CL04 : Appraise legal resources and support available to cultural practitioners.

Detailed Assessment Description

Student writes a 800-1000-word Critical Analysis of one reading or case study related to a course topic that interests you. Students could select one from course readings or one strong source outside the course readings (in this case, please consult with your tutor). The purpose of the Critical Analysis is to show that you have thought carefully and analytically about the topic/case addressed by the reading. Your Critical Analysis needs to be written clearly and logically and move beyond summarising the contents of the reading or case. It critically assesses the relative merits of the author's argument and provide reasons for your perspective (What's compelling, what's not and why?)

* Students could take this as an opportunity to start researching for Assessment 2.

Assessment Length

800-1000

Assessment information

Written review will be provided in Turnitin 10 business days after submission deadline.

Assignment submission Turnitin type

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

Essay

Assessment Overview

For this assessment, you will write an essay analysing one of the core problems addressed in the course.

Course Learning Outcomes

- CL01 : Analyse ethical and legal principles in a curatorial context and their impact on cultural practices.
- CL02 : Develop and support arguments on current legal and ethical issues relating to curatorial contexts.
- CL03 : Communicate ethical ideas and information relevant to cultural property and legal issues.
- CL04 : Appraise legal resources and support available to cultural practitioners.

Detailed Assessment Description

To do well in the essay, you must demonstrate core disciplinary knowledge, the capacity to think and present written arguments clearly and to engage in a critical analysis of the relevant legal and ethical issues.

Topic: A variety of topics/questions will be made available for you to choose in Moodle, but you are also able to select your own topic, provided you first discuss that topic with your tutor.

Word length: Your essay should be between 2000 and 2500 words excluding footnotes and bibliography. It must explore a legal or ethical principle in the art and cultural sector, museum or curatorial professions in depth, with reference to real-life examples, and relevant legal rules, cases and principles.

Assessment Length

2000-2500

Assessment information

Written feedback will be provided 10 business days after the submission deadline.

Assignment submission Turnitin type

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

General Assessment Information

Grading Basis

Standard

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 12 February - 18 February	Lecture	Overview of course; discussion of 'cultural property', 'cultural heritage', 'law', and 'ethics'
Week 2 : 19 February - 25 February	Lecture	AI, cultural heritage and law
Week 3 : 26 February - 3 March	Lecture	Copyright and related rights
Week 4 : 4 March - 10 March	Lecture	Contracts and collections management
Week 5 : 11 March - 17 March	Lecture	Public art issues and ethics
Week 6 : 18 March - 24 March	Other	Study week.
Week 7 : 25 March - 31 March	Lecture	First Nations Cultural heritage and law (part 1)
Week 8 : 1 April - 7 April	Lecture	First Nations Cultural heritage and law (part 2)
Week 9 : 8 April - 14 April	Lecture	Cultural heritage, human rights and art
Week 10 : 15 April - 21 April	Lecture	Cultural heritage and provenance

Attendance Requirements

Attendance Requirements

Students are expected to attend all classes for each course in which they are enrolled. Failure to attend and participate in at least 80% of learning activities such as discussions, peer feedback, studio sessions, online activities, group work, etc., may result in you being flagged as at risk of failing the course. By punctually attending and actively participating in your classes you not only increase your own opportunities for developing your skills and knowledge, but will also help build a rigorous and engaged creative community with other students. If you are unable to attend classes, please inform your relevant Course Convenor. If the absence is for medical reasons, you will be required to present a medical certificate. If absences impact your ability to undertake assessment, then you should apply for [Special Consideration](#).

Course Resources

Recommended Resources

Students are encouraged to sign up to each of these sites for accessing content useful in making additional online contributions:

<http://www.globalmuseum.org/>

<https://news.artnet.com/>

- Collections Law: <http://www.collectionslaw.com.au>
- Wilson, Martin, Art Law and the Business of Art, Edward Elgar Publishing, UK, 2019.
- Prowda, Judith, Visual Arts and the Law, Lund Humphries, Farnham, UK, 2013.
- UNSW Library: <https://www.library.unsw.edu.au/> (and see the law library near the Squarehouse at Kensington)
- Australia Council: www.australiacouncil.gov.au/
- Australian Copyright Council: www.copyright.org.au
- Arts Law Centre of Australia: www.artslaw.com.au
- National Association for the Visual Arts Ltd (NAVA): <http://www.visualarts.net.au/>
- World Intellectual Property Organisation (WIPO): <http://www.wipo.int/portal/index.html.en>
- United Nations Educational, Scientific and Cultural Organisation (UNESCO): <http://www.unesco.org/new/en/unesco/>
- Austlii: <http://www.austlii.edu.au/>

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Shuxia Chen					No	Yes

Other Useful Information

Academic Information

Due to evolving advice by NSW Health, students must check for updated information regarding online learning for all Arts, Design and Architecture courses this term (via Moodle or course information provided).

Please see: <https://www.unsw.edu.au/arts-design-architecture/student-life/resources-support/protocols-guidelines> for essential student information relating to:

- UNSW and Faculty policies and procedures;
- Student Support Services;
- Dean's List;
- review of results;
- credit transfer;
- cross-institutional study and exchange;
- examination information;
- enrolment information;
- Special Consideration in the event of illness or misadventure;
- student equity and disability;

And other essential academic information.

Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

- Copying: Using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This includes copying materials, ideas or concepts from a book, article, report or other written document, presentation, composition, artwork, design, drawing, circuitry, computer program or software, website, internet, other electronic resource, or another person's assignment without appropriate acknowledgement.
- Inappropriate paraphrasing: Changing a few words and phrases while mostly retaining the original information, structure and/or progression of ideas of the original without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.

- Collusion: Working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student for the purpose of them plagiarising, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.
- Inappropriate citation: Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.
- Duplication ("self-plagiarism"): Submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

The UNSW Academic Skills support offers resources and individual consultations. Students are also reminded that careful time management is an important part of study. One of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items. UNSW Library has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW, but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose
- better manage your time
- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

Use of AI for assessments

As AI applications continue to develop, and technology rapidly progresses around us, we remain committed to our values around academic integrity at UNSW. Where the use of AI tools, such as ChatGPT, has been permitted by your course convener, they must be properly credited and your submissions must be substantially your own work.

In cases where the use of AI has been prohibited, please respect this and be aware that where unauthorised use is detected, penalties will apply.

Submission of Assessment Tasks

Turnitin Submission

If you encounter a problem when attempting to submit your assignment through Turnitin, please telephone External Support on 9385 3331 or email them on externalteltsupport@unsw.edu.au

Support hours are 8:00am – 10:00pm on weekdays and 9:00am – 5:00pm on weekends (365 days a year). If you are unable to submit your assignment due to a fault with Turnitin, you may apply for an extension, but you must retain your ticket number from External Support (along with any other relevant documents) to include as evidence to support your extension application. If you email External Support, you will automatically receive a ticket number, but if you telephone, you will need to specifically ask for one. Turnitin also provides updates on their system status on Twitter.

Generally, assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment. In instances where this is not possible, alternative submission details will be stated on your course's Moodle site. For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

Late Submission Penalty

UNSW has a standard late submission penalty of:

- 5% per calendar day,
- for all assessments where a penalty applies,
- capped at five calendar days (120 hours) from the assessment deadline, after which a student cannot submit an assessment, and
- no permitted variation.

Students are expected to manage their time to meet deadlines and to request [Special Consideration](#) as early as possible before the deadline. Support with [Time Management is available here](#).

School-specific Information

Risk of Failure Warnings

If you are at risk of failing the course, because of lack of attendance, low marks in assignments, failing to submit assignments, or lack of participation or engagement, you may be notified by email. Please ensure you read your university email, and respond to any official risk of failure warning promptly. NOTE – if the warning email is sent to your UNSW e-Mail address, it is considered as being read by you whether you check your UNSW email or not.

Late Submission Penalties

If you believe that circumstances will prevent you from submitting an assessment on time, please notify your course convenor as soon as possible. There will be penalties applied for being late and a clear 'no later than' date beyond which submission won't be accepted. Where a Special Consideration is not applied for, and a student assessment is late, the following guidelines apply:

1. Up to 5 days after due date, a penalty of 5% (of maximum mark for assignment) will be applied for each day late (e.g. an assignment that is 3 days late would have its mark reduced by 15%). Please note - for the purpose of deduction calculation, a 'day' is each 24-hour period (or part thereof) past the stipulated deadline for submission within the calendar year (including weekends and public holidays). Task with a percentage mark - If the task is marked out of 100%, late submission will attract a deduction of 5% from the mark awarded to the student for every 24-hour period (or part thereof) past the stipulated deadline.

Example: A student submits an essay 48 hours and 10 minutes after the stipulated deadline. The essay is marked out of 100%. A 3 day late penalty will be applied ($3 \times 5\% = 15\%$). The essay receives a mark of 68%. The student's mark will therefore be reduced to 53% ($68\% - 15\%$).

2. Beyond 5 days late, no submission will be accepted.

Special Consideration

Please note that the University's Special Consideration process allows students to apply for an extension within 3 days of the assessment due date. This provides for more extensive extensions, subject to documentation, and Course Convenor approval. You can apply for special consideration online through my.UNSW.edu.au. More information about special consideration can be found here: <https://www.student.unsw.edu.au/special-consideration>

NOTE: If you are experiencing issues related to your access to class material or difficulty with technology, make sure you notify your lecturer as soon as possible, well before any assessment due date. Last minute requests for extensions due to computer failure, file corruption, printing

problems etc. do not qualify students for special consideration or extensions. Students are expected to maintain regular backups of their work at all times.

Educational adjustments

Educational adjustments can be applied to assessments if you are living with a disability, a long term medical condition, a mental health condition, and/or are a carer of individuals with a disability. The Equitable Learning Service (ELS) determines adjustments based on medical documentation and communicates these via an Equitable Learning Plan (ELP). To receive educational adjustments for equitable learning support, you must first register with Equitable Learning Services (ELS). More information about Equitable Learning Services can be found here <https://student.unsw.edu.au/els>

Supplementary Assessment

Supplementary assessments are available to students in this course who have failed an assessment but have subsequently had an application for Special Consideration approved by the university. The supplementary assessment may take a different form than the original assessment and will be defined by the course convenor - but it will address the same learning outcomes as the original assessment. If Special Consideration has not been awarded, the maximum mark that may be awarded for a supplementary assessment is 50% of the full assessment mark.

Academic Honesty and Plagiarism

Plagiarism is taking the ideas, words, images, designs or objects of others and passing them off as your own. Plagiarism is a type of intellectual theft. Plagiarism can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement. Plagiarism can have serious consequences, so it is important that students be aware of what it is, and how to avoid it. All written submissions are automatically checked for plagiarism using the Turnitin site. For further information, please see the Academic Integrity & Plagiarism website <https://www.student.unsw.edu.au/plagiarism>.

Referencing Requirements for Assessments

Your course convenor will inform you what referencing system this course follows. Useful guidelines on how to reference according to various systems can be found at: <https://student.unsw.edu.au/referencing>.

You may follow these guidelines in your assessment tasks, or seek additional advice from your lecturer. Styles for Endnote are downloadable from the Endnote website. Accurate and correct referencing is an important academic prerequisite at University level, and if your work does not meet these requirements, it may be marked down, or in more serious cases, it may be treated as an instance of plagiarism and academic dishonesty.

Use of Generative AI

As AI applications continue to develop, and technology rapidly progresses around us, we remain committed to our values around academic integrity at UNSW. Your work must be your *own* and where the use of AI tools, such as ChatGPT, have been permitted by your course convener, they must be properly credited and your submissions must be substantially your own work. In cases where the use of AI has been prohibited, please respect this and be aware that where unauthorised use is detected, penalties will apply. If in doubt, please seek advice from the Course Convenor prior to using generative AI tools.

<https://www.student.unsw.edu.au/assessment/ai>

Health and Safety

Ensuring student and staff health and safety is very important at UNSW Art & Design. Health and safety is everyone's responsibility. As a student, you have a responsibility not to do anything that risks your own health and safety, or the health or safety of your fellow students, staff members or visitors. This means, for example, exiting the building during a fire drill; wearing personal protective equipment and clothing (PPEC) when staff or signage instructs you to do so; undertaking induction to using equipment or carrying out processes that require specific knowledge; and reporting hazards or incidents to your lecturer or supervisor as soon as you become aware of them. For more information, please see <https://safety.unsw.edu.au/>.

Additional Support and Resources

At UNSW you can also find support and resources if you need help with your personal life, getting your academic success on track or just want to know how to stay safe. See <https://www.student.unsw.edu.au/wellbeing>.

Additional support for students is available by contacting the following centres:

- Student Support and Development <https://www.student.unsw.edu.au/support>
- Student Support Advisors: <https://www.student.unsw.edu.au/advisors>

- Mental Health Support: <https://www.student.unsw.edu.au/mental-health-support>
- Academic Skills and Support <https://www.student.unsw.edu.au/skills>
- UNSW IT Service Centre <https://www.myit.unsw.edu.au/>
- Student Gateway: <https://www.student.unsw.edu.au/>
- Equitable Learning Services: <https://www.student.unsw.edu.au/equitable-learning>
- Faculty Resources and Support: <https://www.unsw.edu.au/arts-design-architecture/student-life/resources-support>
- Arc: <https://www.arc.unsw.edu.au/>

After Hours Access to the Paddington Campus

The core operating hours for the Paddington Campus are below. All students have access to the campus during these hours:

- Monday to Friday 0800 – 2100
- Saturday 0900 – 1700

Some students are permitted to have “After Hours Access” (AHA) to the campus upon completion of a series of inductions. The inductions are dependent on location, as well as the types of activities undertaken in those locations. The first of these is this Primary Induction, and this must be completed online <https://my.artdesign.unsw.edu.au>. All students requiring AHA are required to complete this induction. The Primary Induction gives access to the following Low Risk areas:

Post Graduate Students

- PG Research students – Level 4 F Block, Computer Labs and Learning Commons
- Master of Design students – Level 3 D Block, Computer Labs and Learning Commons
- Master of Curating and Cultural Leadership students – D207, Computer Labs and Learning Commons

Honours Students

- Fine Arts – Level 3 F Block, Computer Labs and Learning Commons
- Design – Level 1 E Block, Computer Labs and Learning Commons
- Media Arts – Level 3 F Block, Computer Labs and Learning Commons

Subsequent inductions are workshop and lab specific, and are conducted face-to-face by the UNSW Art & Design Technical staff. Students and staff must first successfully complete the Primary Induction before requesting a Workshop/Lab specific Induction.

School Contact Information

UNSW School of Art & Design

Faculty of Arts, Design & Architecture

Paddington Campus

Cnr Greens Rd & Oxford Street

Paddington NSW 2021

ad.generaladmin@unsw.edu.au