



UNSW

UNSW Course Outline

LAWS8141 Censorship, Contempt and the Media - 2024

Published on the 12 May 2024

General Course Information

Course Code : LAWS8141

Year : 2024

Term : Term 2

Teaching Period : T2

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Private and Commercial Law

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 is concerned with laws that impose significant legal restrictions upon what the media, or other communicators to large-scale audiences, may publish under Australian law. The subject matter is as relevant to the publication of books, films and videos as to newspapers and

broadcast programs, and the legal problems presented by the new technologies receive special emphasis. The course begins with some consideration of the meaning or meanings of freedom of expression and the extent to which it is protected in general terms under Australian constitutional law. Special attention is paid also to broad political and philosophical theories about the notions of free speech and censorship. The focus then turns to specific laws having a significant daily impact on the contents of publications. This includes the law relating to racial vilification, blasphemy, sedition, publication of obscene material and contempt of court.

Main Topics

- Notions of "free speech" and "censorship"
- Australian constitutional position with respect to freedom of speech and its impact on the laws to be considered in this course
- Racial and religious vilification
- Regulation of obscene material
- Art and censorship
- Blasphemy in a multicultural society
- Sedition in an age of terrorism
- Restrictions on court reporting
- Journalists and confidential sources
- Sub judice contempt - fair trial versus freedom of the press
- Scandalising the court

Course Aims

A candidate who has successfully completed this course will have a broad understanding of:

- The general principles and some of the legal intricacies in each of the topics
- The thematic links between them
- Aspects of their operation in practice
- Historical, comparative and policy aspects

Relationship to Other Courses

This course counts towards the LLM specialisation in Media, Intellectual Property and Technology law. It can be taken with courses such as LAWS8014/JURD7514 *Defamation and the Media* and LAWS8054 *Media & Communications Industry Regulation* to gain a strong working knowledge of media law. It can also be taken alongside courses in intellectual property law to broaden a student's understanding of the broader legal environment often associated with media law.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Evaluate the general principles and legal intricacies of legal restrictions, censorship and mass-media.
CLO2 : Analyse thematic links and historical, comparative, and policy aspects of censorship and media regulations in relation to Australian law.
CLO3 : Apply theoretical knowledge to practical scenarios, developing a research plan that demonstrates understanding and methodology.
CLO4 : Compose a well-reasoned research essay synthesising relationships between censorship, contempt, and media regulations, incorporating historical, comparative, and policy perspectives.

Course Learning Outcomes	Assessment Item
CLO1 : Evaluate the general principles and legal intricacies of legal restrictions, censorship and mass-media.	<ul style="list-style-type: none">• Class participation• Research essay
CLO2 : Analyse thematic links and historical, comparative, and policy aspects of censorship and media regulations in relation to Australian law.	<ul style="list-style-type: none">• Class participation• Research essay
CLO3 : Apply theoretical knowledge to practical scenarios, developing a research plan that demonstrates understanding and methodology.	<ul style="list-style-type: none">• Research plan• Class participation
CLO4 : Compose a well-reasoned research essay synthesising relationships between censorship, contempt, and media regulations, incorporating historical, comparative, and policy perspectives.	<ul style="list-style-type: none">• Research essay• Class participation

Learning and Teaching Technologies

Moodle - Learning Management System

Learning and Teaching in this course

Classes will be interactive, allowing students the opportunity to discuss topics.

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Class participation Assessment Format: Individual	20%	
Research plan Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: 28/06/2024 04:00 PM
Research essay Assessment Format: Individual	60%	Due Date: 09/08/2024 04:00 PM

Assessment Details

Class participation

Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and/or online activities.

Course Learning Outcomes

- CLO1 : Evaluate the general principles and legal intricacies of legal restrictions, censorship and mass-media.
- CLO2 : Analyse thematic links and historical, comparative, and policy aspects of censorship and media regulations in relation to Australian law.
- CLO3 : Apply theoretical knowledge to practical scenarios, developing a research plan that demonstrates understanding and methodology.
- CLO4 : Compose a well-reasoned research essay synthesising relationships between censorship, contempt, and media regulations, incorporating historical, comparative, and policy perspectives.

Detailed Assessment Description

Reflective Commentary due Friday 2 August, 4pm

Research plan

Assessment Overview

This assessment requires you to design a research question and write an outline for your planned essay.

Course Learning Outcomes

- CLO3 : Apply theoretical knowledge to practical scenarios, developing a research plan that demonstrates understanding and methodology.

Assessment Length

1,500 words

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

Research essay

Assessment Overview

This assessment requires you to write a research essay.

Course Learning Outcomes

- CLO1 : Evaluate the general principles and legal intricacies of legal restrictions, censorship and mass-media.
- CLO2 : Analyse thematic links and historical, comparative, and policy aspects of censorship and media regulations in relation to Australian law.
- CLO4 : Compose a well-reasoned research essay synthesising relationships between censorship, contempt, and media regulations, incorporating historical, comparative, and policy perspectives.

General Assessment Information

Grading Basis

Standard

Requirements to pass course

Overall mark of 50%

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 27 May - 2 June	Lecture	Free speech, freedom of expression and the Media
Week 2 : 3 June - 9 June	Lecture	Limiting speech: vilification on the grounds of race, sexual preference and religion
Week 3 : 10 June - 16 June	Lecture	Censorship: internet regulation and blasphemy
Week 4 : 17 June - 23 June	Lecture	Censorship: obscenity, indecency and pornography
Week 5 : 24 June - 30 June	Lecture	Open justice, statutory reporting restrictions, juries and the media
Week 6 : 1 July - 7 July	Other	Reading week - No class
Week 7 : 8 July - 14 July	Lecture	Contempt
Week 9 : 22 July - 28 July	Lecture	Access to sources and documents
Week 10 : 29 July - 4 August	Lecture	Media freedom

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.

General Schedule Information

Class times: 6-9pm Tuesday, Wks 1-5, 7, 9-10

Location: CBD, at Cliftons, level 13, 60 Margaret St, Sydney NSW 2000.

Course Resources

Prescribed Resources

Detailed materials will be distributed during the course.

Recommended Resources

Recommended resources will be available through the course Moodle site.

Course Evaluation and Development

Students are invited to provide the teacher with informal feedback throughout the course. Formal feedback will be invited through a MyExperience survey towards the end of the course. This feedback will be used to identify and address any ways in which the course could be improved.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Alexandra George				Email for appointment	Yes	No
Lecturer	David Helvadjian				Email for appointment	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.

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.