



UNSW Course Outline

LAWS8040 Online Content Regulation - 2024

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General Course Information

Course Code : LAWS8040

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

The course reviews the context of online content regulation through analysis of topics such as the foundations of copyright law, defamation law, etc. It identifies areas of the topic in which online content provides a particular or novel challenge, and then considers and discusses these

areas in detail, focussing on theoretical analyses, policy directions, statutory materials and decided cases.

Most topic areas will be treated in a comparative fashion, considering not only the laws in force in Australia, but also the international context in the area, as well as developments in other major jurisdictions such as the US and the UK.

A comparative approach is also encouraged in the assessments, particularly in the research essay.

Main Topics

- What unique features of the Internet create the need for new regulatory approaches?
- Will a particular regulatory approach achieve its objectives?
- What are the advantages/disadvantages of state-based v non-state-based regulatory strategies?
- What common regulatory strategies are being used, such as imposing liability on intermediaries?
- How do international agreements and the influence of other major jurisdictions (in particular the US) shape Australian laws?

This course assumes an understanding of foundational legal principles. Students who do not hold an LLB/JD or equivalent should take the LLM foundations course *LAWS8213 Legal Concepts, Research and Writing* before or concurrently with this course.

Course Aims

The course attempts to undertake a brief review of the context of the particular topic (for example, the foundations of copyright, defamation etc), and then proceed to identify and examine those areas of the topic where online content provides a particular or novel challenge. These areas will then be considered and discussed in detail, focussing on theoretical analyses, policy directions, statutory materials and decided cases. Most topic areas will be treated in a comparative fashion, considering not only the laws in force in Australia, but also the international context in the area as well as developments in other major jurisdictions (in particular the US and the UK). A comparative approach in the assessments (in particular the research essay) is also encouraged.

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 *LAWS8141/JURD7741 Censorship*,

Contempt 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 : · Demonstrate high level skills of collaboration and oral communication by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 3 (a) and 3 (b))
CLO2 : · Engage in advanced critical analysis of the historical and social significance of online content regulation with consideration of emerging trends through an extended research essay (PLOs 1 (a and b), 2(a and b), 3(a) and 4)
CLO3 : · Identify developing issues and apply them to hypothetical fact scenarios using advanced theoretical knowledge of online content regulation by completion of a briefing paper (PLOs 1(a), 1(b), 2(a) and 2(b))

Course Learning Outcomes	Assessment Item
CLO1 : · Demonstrate high level skills of collaboration and oral communication by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 3 (a) and 3 (b))	• Class Participation
CLO2 : · Engage in advanced critical analysis of the historical and social significance of online content regulation with consideration of emerging trends through an extended research essay (PLOs 1 (a and b), 2(a and b), 3(a) and 4)	• Research Essay (4500 words)
CLO3 : · Identify developing issues and apply them to hypothetical fact scenarios using advanced theoretical knowledge of online content regulation by completion of a briefing paper (PLOs 1(a), 1(b), 2(a) and 2(b))	• Research Proposal (1500 words)

Learning and Teaching Technologies

Moodle - Learning Management System | Microsoft Teams | Use of Internet in the class to show videos, so screen and audio functions for support.

Learning and Teaching in this course

The learning and teaching in this course will be predicated on pre-class readings, and

discussions in classes, including class exercises. The pedagogy will follow a collaborative approach to teaching and learning, along with a strong emphasis on active participation and knowledge building. There is no fixed textbook in this course, and students will instead be taken through a variety of different learning tools, including videos, articles, podcasts, and case studies.

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Research Proposal (1500 words) Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: 26/06/2024 04:00 PM
Research Essay (4500 words) Assessment Format: Individual	60%	Start Date: Not Applicable Due Date: 09/08/2024 04:00 PM
Class Participation Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: 02/08/2024 04:00 PM

Assessment Details

Research Proposal (1500 words)

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes

- CLO3 : · Identify developing issues and apply them to hypothetical fact scenarios using advanced theoretical knowledge of online content regulation by completion of a briefing paper (PLOs 1(a), 1(b), 2(a) and 2(b))

Assessment Length

1,500 words

Submission notes

Please include your name, zID and word count on your paper.

Assignment submission Turnitin type

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

Research Essay (4500 words)

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes

- CL02 : · Engage in advanced critical analysis of the historical and social significance of online content regulation with consideration of emerging trends through an extended research essay (PLOs 1 (a and b), 2(a and b), 3(a) and 4)

Assessment Length

4,500 words

Submission notes

Please include your name, zID and word count on your paper.

Assignment submission Turnitin type

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

Class Participation

Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

Course Learning Outcomes

- CL01 : · Demonstrate high level skills of collaboration and oral communication by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 3 (a) and 3 (b))

Assessment Length

N/A

Submission notes

Students are advised to complete and submit the Class Participation Reflective Commentary template provided.

Assignment submission Turnitin type

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

General Assessment Information

There are three assessments planned for the course.

(i) Class Participation (20%)

(ii) Research Proposal for up to 1500 words (20%)

(iii) Research Essay for up to 4500 words (60%)

Grading Basis

Standard

Requirements to pass course

Students need 50% (out of 100) of the total marks for the course to pass the course.

Course Schedule

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

When: Classes run 17:00 - 20:00 Fridays in weeks 1-5, 8-10 (NB. no class in week 7).

Where: Tyree Energy Technology G15 (K-H6-G15)

The course will broadly cover the following topics, including cyberspace regulation, e-commerce, identity regulation, online speech and expression, information access and national security, online enforcement, and future regulatory trends.

Course Resources

Prescribed Resources

There is no fixed textbook in this course, and students will instead be taken through a variety of different learning tools, including videos, articles, podcasts, and case studies. The Moodle page will be updated to reflect all the required and optional readings/materials.

Recommended Resources

The Moodle page will be updated to reflect the reading material for each week of the course. No extra resources will be required beyond the prescribed reading and viewing material.

Additional Costs

None

Course Evaluation and Development

The course has been updated to take into account previous feedback. Further, the design of the course has been kept fairly flexible and reflexive, so as to be able to incorporate any student feedback throughout the duration of the course.

Staff Details

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