COURSE OUTLINE

CMNS2720 - Media, Law, Ethics

10 Units

Semester 2, 2008 - Callaghan Campus

STAFF CONTACTS

<table>
<thead>
<tr>
<th>Course Coordinator:</th>
<th>Matt Girdler</th>
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<tbody>
<tr>
<td>Contact Details:</td>
<td>Room: MC111</td>
</tr>
<tr>
<td></td>
<td>Phone: TBA</td>
</tr>
<tr>
<td>Consultation times:</td>
<td>Tue 11-12, Wed 1-2</td>
</tr>
<tr>
<td>Law Lecturer /</td>
<td>Julie Hughes</td>
</tr>
<tr>
<td>Law Co-ordinator</td>
<td>School of Law</td>
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<td></td>
<td>Email: <a href="mailto:Julie.Hughes@newcastle.edu.au">Julie.Hughes@newcastle.edu.au</a></td>
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Teaching Methods
Problem Based Learning, Lecture, Self Directed Learning, Seminar, Student Projects, Tutorial

Brief Course Description
This course provides students with an understanding and knowledge of the key laws pertinent to media production in Australia. The course provides an understanding of how and why the regulatory environment impacts upon Australian media organisations and media production. The course pays equal attention to a broad range of ethical issues pertinent to media production, and the frameworks and methods for ethical decision-making with regard to such issues.

Contact Hours
Tutorial for 2 Hours per Week - from weeks 2-14
Lecture for 1 Hour per Week - weeks 1-13

Callaghan Campus Timetable
CMNS2720
MEDIA, LAW, ETHICS.
Enquiries: School of Design, Communication and Info Tech
Semester 2 - 2008
Lecture Thursday 14:00 - 15:00 [GP1-1]
Tutorials
Thursday 3.00 PM - 5.00 PM [GP1-30] - Julie Hughes (Law) Matt Girdler (Ethics)
Thursday 3.00 PM - 5.00 PM [MCLG59] - Naina Kaushik (Law) Sam Douglas (Ethics)
Thursday 5.00 PM - 7.00 PM [GP3-18] - Daniel Matas (Law) Matt Girdler (Ethics)
Thursday 5.00 PM - 7.00 PM [V25] - Naina Kaushik (Law) Sam Douglas (Ethics)
Friday 12.00 noon - 2.00 PM [V25] - Susan Jones (Law) Matt Girdler (Ethics)
Friday 12.00 noon - 2.00 PM [V27] - Naina Kaushik (Law) Sam Douglas (Ethics)
Friday 2.00 PM - 4.00 PM [V25] - Susan Jones (Law) Matt Girdler (Ethics)

Learning Materials/Texts

Ethics: Mintoff, J (ed). *Media & Ethics,8th edn*, (School of Humanities & Social Sciences, 2008).

Course Objectives
To provide students with knowledge and understanding of:
1. copyright, contempt, sub-judice and defamation laws in Australia;
2. the Acts of Parliament impacting upon the media in Australia;
3. the authority and operations of the Australian Broadcasting Authority and The Office of Film and Literature Classification;
4. the impact and outcomes of self regulation of the media industries;
5. the role of The Australian Press Council, the Federation of Australian Radio Broadcasters, the Federation of Australian Commercial Television Stations and The Advertising Standards Council of Australia;
6. ethical issues in media practice;
7. ethical decision making and media practice;
8. frameworks and philosophical approaches for ethical decision making.

Course Content
This course will provide students with an introduction to and understanding of:
1. copyright, contempt (sub-judice, contempt in the face of the court and scandalising the courts) obscenity, blasphemy, racial vilification, trespass and defamation laws in Australia;
2. the hierarchies of Australian courts and civil and criminal matters;
3. the Acts of Parliament impacting upon the media in Australia, the authority and operations of the Australian Broadcasting Authority and The Office of Film and Literature Classification, the impact and emerging outcomes of self regulation of media industries, the role of The Australian Press Council, the Federation of Australian Radio Broadcasters, the Federation of Australian Commercial Television Stations, The Australian Subscription Television and Radio Association and The Advertising Standards Council of Australia;
4. the nature of ethics, ethical methodology, and the significance of ethics, pertinent to media practice;
5. ethical issues in media practice, which may include ethical codes and self regulation, censorship, the relation between privacy and the public interest, and the issues raised by advertising.
**Assessment Items**

Essays / Written Assignments, Group/tutorial participation and contribution, Presentations – Tutorial, Quiz – Class

<table>
<thead>
<tr>
<th>Assessment Item</th>
<th>Submission Method</th>
<th>Weight</th>
<th>Due</th>
</tr>
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<tbody>
<tr>
<td>Two 1500 words essays</td>
<td>Hardcopy via Hub, E-Copy via Blackboard (turnitin)</td>
<td>25% each</td>
<td>Week 8 (Law), Week 14 (Ethics)</td>
</tr>
<tr>
<td>One tutorial paper</td>
<td>Hardcopy to Tutor</td>
<td>20% total</td>
<td>As agreed in Week 2</td>
</tr>
<tr>
<td>Two 90 minute multiple-choice tests</td>
<td>Conducted during workshops</td>
<td>10% each</td>
<td>Week 8 (Law), Week 14 (Ethics)</td>
</tr>
<tr>
<td>Group/tutorial participation and contribution</td>
<td>Evaluated during workshops</td>
<td>10% total</td>
<td>Continuous</td>
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**SUBMISSION AND RETURN OF ASSESSMENT TASKS**

1. **Essays:**

   * **The Media and Law essay** is due at 4pm Friday Week 9 (19th September)
   * **The Media and Ethics Essays** is due at 4pm Friday Week 14 (6th November)

   Each essay should be submitted BOTH to a Student Hub (Hardcopy), **AND** through TURNITIN via Blackboard (E-copy).

   The Media and Law essay will be **returned** in tutorials in week 12.

   The Media and Ethics essays (and any Law essays uncollected in Week 12) will be available for collection from the Course Coordinator, from the beginning of week 17 (ie, the beginning of the third week of exams).

2. **Tutorial Paper:** The tutorial presentation and paper is due on the date agreed by you and the tutor during the first, organisational tutorial in week 2, and should be submitted directly to your tutor at the relevant workshop (but not TURNITIN). The tutorial paper will be returned by your tutor on the next occasion you see that tutor, or will be available directly from them one teaching week later (by arrangement).

3. **2 Tests.** Each test will be conducted during the 2-hour workshop the week after the lectures in the relevant section of the course end.

   * The **Law Test** will be held in week 8
   * The **Ethics Test** will be held in week 14.

   The test papers will not be returned to students. However, each student's marks and test paper will be available for examination from the course coordinator. Law Tests will be available for examination in Week 11, and Ethics tests will be available for examination in Week 3 of Exams.

**REFER** to “Detailed Course Outline and Assessment Information – 2. Assessment” for more extensive details in relation to Assessment items.

**Assumed Knowledge**

60 units at 1000 or 2000 level.
Penalties for Late Submission of Assessment Items

1. **Essays.** If you repeat work in an Ethics Essay, then you will be liable to lose all the marks for one or other of the repeated pieces of work. If you are unable to submit your essay at the scheduled time, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels. Otherwise, you will be liable to lose 1% of the total mark for this course for each day your essay is overdue.

2. **Tutorial Paper.** If you are unable to deliver your tutorial presentation and paper at the scheduled time, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels. Otherwise, (i) if you fail to present your paper, you will forfeit the presentation marks; (ii) if you are late in submitting your paper to the tutor, the standard penalty for late submission of work will apply (see Essay clause).

3. **Tests.** If you are unable to attend your regular workshop in the given weeks, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels (in which case a supplementary test may be organized). Otherwise, you will forfeit the marks for that test.

**POLICY INFORMATION**

**Plagiarism**

University policy prohibits students plagiarising any material under any circumstances. A student plagiarises if he or she presents the thoughts or works of another as one's own. Without limiting the generality of this definition, it may include:

- copying or paraphrasing material from any source without due acknowledgment;
- using another's ideas without due acknowledgment;
- working with others without permission and presenting the resulting work as though it was completed independently.

Plagiarism is not only related to written works, but also to material such as data, images, music, formulae, websites and computer programs.

Aiding another student to plagiarise is also a violation of the Plagiarism Policy and may invoke a penalty.

For further information on the University policy on plagiarism, please refer to the Policy on Student Academic Integrity at the following link -


The University has established a software plagiarism detection system called Turnitin. When you submit assessment items please be aware that for the purpose of assessing any assessment item the University may -

- Reproduce this assessment item and provide a copy to another member of the University; and/or
- Communicate a copy of this assessment item to a plagiarism checking service (which may then retain a copy of the item on its database for the purpose of future plagiarism checking).
- Submit the assessment item to other forms of plagiarism checking.
Written Assessment Items

Students may be required to provide written assessment items in electronic form as well as hard copy.

All assessment items should be accompanied by an Assessment Coversheet that can be found at this link:

http://www.newcastle.edu.au/study/forms/index.html

Students will note they are required to have completed the Academic Honesty Module which is on the FSCIT Student Guide Blackboard Site.
The purpose of this module is to help students understand referencing and plagiarism issues.

Extension of Time for Assessment Items, Deferred Assessment and Special Consideration for Assessment Items or Formal Written Examinations

Students are required to submit assessment items by the due date, as advised in the Course Outline, unless the Course Coordinator approves an extension of time for submission of the item. University policy is that an assessment item submitted after the due date, without an approved extension, will be penalised.

Any student:

1. who is applying for an extension of time for submission of an assessment item on the basis of medical, compassionate, hardship/trauma or unavoidable commitment; or

2. whose attendance at or performance in an assessment item or formal written examination has been or will be affected by medical, compassionate, hardship/trauma or unavoidable commitment; must report the circumstances, with supporting documentation, to the appropriate officer following the instructions provided in the Special Circumstances Affecting Assessment Procedure - Policy 000641.

Note: different procedures apply for minor and major assessment tasks.

Please go to the Policy at http://www.newcastle.edu.au/policylibrary/000641.html for further information, particularly for information on the options available to you.

Students should be aware of the following important deadlines:

- Requests for Special Consideration must be lodged no later than 3 working days after the due date of submission or examination.

- Requests for Extensions of Time on Assessment Items must be lodged no later than the due date of the item.

- Requests for Rescheduling Exams must be received no later than ten working days prior the first date of the examination period

Your application may not be accepted if it is received after the deadline. In the first instance, students who are unable to meet the above deadlines due to extenuating circumstances should speak to their Program Officer or their Program Executive if studying in Singapore.
Changing your Enrolment

The census dates below are the last dates to withdraw without academic penalty. For onshore students, withdrawal on or before the census date means no financial penalty. **For semester 2 courses: 31 August 2008**

Students may withdraw from a course without academic penalty on or before the last day of semester. Any withdrawal from a course after the last day of semester will result in a fail grade.

Students cannot enrol in a new course after the second week of semester/trimester, except under exceptional circumstances. Any application to add a course after the second week of semester/trimester must be on the appropriate form, and should be discussed with staff in the Student Hubs or with your Program Executive at PSB if you are a Singapore student.

To check or change your enrolment online, please refer to myHub - Self Service for Students [https://myhub.newcastle.edu.au](https://myhub.newcastle.edu.au)

The Student Hubs are a one-stop shop for the delivery of student related services and are the first point of contact for students studying in Australia.

The Student Hubs are located at:

**Callaghan campus**

- Shortland Hub: Level 3, Shortland Union Building
- Hunter Hub: Student Services Centre, Hunter side of campus

**City Precinct**

- City Hub & Information Common: University House, ground floor in combination with an Information Common for the City Precinct

**Ourimbah campus**

- Ourimbah Hub: Administration Building

**For Port Macquarie students, contact your program officer or** [EnquiryCentre@newcastle.edu.au](mailto:EnquiryCentre@newcastle.edu.au), phone 4921 5000

**For Singapore students, your first point of contact is your PSB Program Executive.**

**Websites**


Various services are offered by the University Student Support Unit:

Web Address for Rules Governing Undergraduate Academic Awards

STUDENTS WITH A DISABILITY OR CHRONIC ILLNESS

The University is committed to providing a range of support services for students with a disability or chronic illness.

If you have a disability or chronic illness which you feel may impact on your studies, please feel free to discuss your support needs with your lecturer or course coordinator.

Disability Support may also be provided by the Student Support Service (Disability). Students must be registered to receive this type of support. To register please contact the Disability Liaison Officer on 02 4921 5766, or via email at: student-disability@newcastle.edu.au

As some forms of support can take a few weeks to implement it is extremely important that you discuss your needs with your lecturer, course coordinator or Student Support Service staff at the beginning of each semester.

For more information related to confidentiality and documentation please visit the Student Support Service (Disability) website at: www.newcastle.edu.au/services/disability

Alteration of this Course Outline

No change to this course outline will be permitted after the end of the second week of the term except in exceptional circumstances and with Head of School approval. Students will be notified in advance of any approved changes to this outline.
1. Lectures and Tutorials

If you have an enquiry or problem in this course, then
- In the first instance, check this Course Outline, and then Blackboard for any relevant announcements. Copies of this Course Outline and Essays will be placed on Blackboard.
- If your enquiry relates to some organizational matter, you should contact the course coordinator.
  Note that CMNS2720 WILL BE COORDINATED BY THE SCHOOL OF HUMANITIES AND SOCIAL SCIENCES (MC127), not by the School of Design, Communication, and IT.
- If your enquiry relates to the content of the Media and Law section, you should contact your Law tutor (see below) in the first instance and only after this the Law Lecturer (see below). This includes any enquiries about what specifically is required in any piece of work.
- Similarly, if your enquiry relates to the content of the Media and Ethics section.

Lecture Thursday 2.00-3.00PM [GP1-1]
and Tutorial Thursday 3.00-5.00PM [GP1-30]
or Thursday 3.00-5.00PM [MCLG59]
or Thursday 5.00-7.00PM [GP3-18]
or Thursday 5.00-7.00PM [V25]
or Friday 12.00-2.00PM [V25]
or Friday 12.00-2.00PM [V27]
or Friday 2.00-4.00PM [V25]
or Friday 2.00-4.00PM [V27]

2. Assessment

CMNS2720 (despite its administrative label) is not a communications course, but rather an introduction for communications students to legal and ethical issues which they may not otherwise have addressed in a systematic manner. This will be reflected in the following modes of assessment — Law and Philosophy are different disciplines, and different pedagogical approaches will be appropriate in each.

- Two (2) Multiple-Choice Tests

There will be, for each section of the course, a multiple choice test on the lecture and tutorial readings for that section. The purpose of these tests is (i) to motivate students to do the readings, and so make a more useful contribution to the tutorial discussion, and (ii) to determine students’ familiarity with the key concepts and ideas.

Each test will be of ninety minutes in duration, and each is worth 10%, and so this component of the assessment is in total worth 20% (= 2 x 10%) of the final mark.

Each test will be distributed during the 2-hour workshop the week after the lectures in the relevant section of the course end. The Law Test will be held in week 8, and the Ethics Test will be held in week 14. STUDENTS ARE REQUIRED TO ATTEND THEIR REGULAR WORKSHOP TIMES ON THESE WEEKS.
Each test will examine the materials listed below, in the Weekly Schedule of Topics, under the "Lecture and Tutorial Readings" for the relevant week. In the Ethics section, this includes any audio-visual material for which there are transcripts.

Each test will be conducted during the 2-hour workshop in the relevant week, under standard examination conditions. Specifically: (1) Students must not commence the test until instructed; (2) The total test duration is NINETY MINUTES (with no reading time); (3) Students are allowed to employ only normal writing implements, the relevant text, and any personal notes; (4) Each question is of equal value; (5) Students must return the test paper at the conclusion of the test.

Each test will be marked by the relevant tutor—all questions are of equal value.

The test papers will not be returned to students. However, each student’s marks and test paper will be available for examination from the course coordinator. Law Tests will be available for examination in Week 11, and Ethics tests will be available for examination in Week 3 of Exams.

Special Consideration, Missed Tests, etc
– If you are unable to attend your regular workshop in the given weeks, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels (in which case a supplementary test may be organized). Otherwise, you will forfeit the marks for that test.

• One (1) Tutorial Paper

Each student is required to present a verbal and written tutorial paper on a topic to be selected during the first tutorial, in week 2. The purpose of the tutorial paper is provide students with a more detailed and complete knowledge and understanding of at least one relevant topic.

The tutorial paper should be roughly 10 minutes verbal presentation (worth 5%) and 1000 written words (worth 15%) and is in total worth 20% (=5+15%) of the final mark.

The tutorial topics will be distributed and selected in the first, organizational tutorial, in week 2. Copies of the Tutorial Topics are available on Blackboard, and will be provided during the first tutorial in week 2.

The tutorial paper should address the materials as follows:
(i) In the Media and Law section, you should consider the material listed under "Lecture and Tutorial Readings" and the "Tutorial Papers".
(ii) In the Media and Ethics section, you should consider the material listed under "Lecture and Tutorial Readings", which includes any audio-visual material whether displayed during lectures or not.

The tutorial presentation and paper is due on the date agreed by you and the tutor during the first, organizational tutorial, in week 2, and should be submitted directly to your tutor at the relevant workshop (but not TURNITIN). There are penalties for late submission (see below).

The tutorial paper will be marked on the basis of BOTH the verbal presentation AND the written work. The written work will be marked as follows:
(i) In the Media and Law section, your case report will be marked as follows:

- presentation of written report (spelling, style, grammar etc) (5)

Case Report

Provide a case report on the given cases, containing:

- a summary of the facts of the case (10)
- an outline of the legal issues that arose in the case (15)
- lessons to be learnt by journalists (20)

In other presentations, you need to display familiarity and understanding of the relevant materials and your written material must be in standard essay form (45).

(ii) In the Media and Ethics section, you will need to display familiarity and understanding of the relevant readings, you will need to answer all parts of the set question for that week, and the written material must be in standard essay format (NO dot points).

In each case, the paper will be marked on the degree to which it was presented to elicit interest and a response, and on its clarity and imagination.

The tutorial paper will be returned by your tutor on the next occasion you see that tutor, or will be available directly from them one teaching week later (by arrangement).

Special Consideration, Missed Deadlines, etc

- If you are unable to deliver your tutorial presentation and paper at the scheduled time, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels. Otherwise, (i) if you fail to present your paper, you will forfeit the presentation marks; (ii) if you are late in submitting your paper to the tutor, the standard penalty for late submission of work will apply [SEE Essay Section].

- In any case, strictly no material will be accepted later than 24 hours before the scheduled start of the Communications discipline Examination Committee Meeting.

• Two (2) Essays

Each student is required to submit two essays, one in the Media and Law section, the other in the Media and Ethics section, from a list of questions provided. The purpose of the two essays is provide students with a more detailed and complete knowledge and understanding of at least one further topic in each section of the course.

Each essay should be 1500 words in length (excluding footnotes and bibliography, noting that marks will be lost for essays shorter than this length), and each essay is worth 25%.

The Media and Law essays will be distributed via Blackboard in week 2; the Media and Ethics essays in week 8. Each essay is also included below.

Each essay should address the materials as follows:

(i) In the Media and Law section, you should determine which readings are relevant to the answering the question you have selected. Note that it is permissible to have a case report on, for example, defamation, and an essay on the same topic.

(ii) In the Media and Ethics section, your essay MUST display familiarity with the "Primary References" listed with the question you have selected. Further, you are required to attempt different topics for your tutorial paper and your essay question. For example, if your tutorial paper is on Free Speech and Censorship, then you must not do your essay on this topic. There are penalties for repetition of work (see below).
* The Media and Law essay is due at 4pm Friday Week 9 (19th September)
* The Media and Ethics Essays is due at 4pm Friday Week 14 (7th November)

Each essay should be submitted BOTH to a Student Hub (Hardcopy), AND through TURNITIN via Blackboard (E-copy). DO NOT SUBMIT YOUR ESSAY AT THE SCHOOL OF DESIGN, COMMUNICATIONS AND IT. There are penalties for late submission (see below).

The essays will be marked as follows:
(i) In the Media and Law section, your essay should display familiarity with relevant readings and adequately answer the question.
(ii) In the Media and Ethics section, your essay will be marked in accordance with a marking pro-forma and set of marking guidelines which will be distributed and explained in tutorials well before the due date.

The Media and Law essay will be returned in tutorials in week 11; the Media and Ethics essays (and any Law essays uncollected in Week 11) will be available for collection from the Course Coordinator, from the beginning of week 17 (ie, the beginning of the third week of exams).

Special Consideration, Missed Deadlines, etc
– If you repeat work in an Ethics Essay, then you will be liable to lose all the marks for one or other of the repeated pieces of work.
– If you are unable to submit your essay at the scheduled time, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels. Otherwise, you will be liable to lose 1% of the total mark for this course for each day your essay is overdue.
– In any case, strictly no material will be accepted later than 24 hours before the scheduled start of the Communications discipline Examination Committee Meeting.

• Workshop Participation
The roll shall be taken each week during workshops, and an overall estimation of the student’s participation made at the end of the relevant section of the course. The purpose of this item of assessment is to motivate students to contribute in a meaningful way to discussions of the relevant issues.

This component of the assessment is worth 10% of the final mark.

A student's participation will be determined in relation to the materials listed below, in the Weekly Schedule of Topics, under the "Lecture and Tutorial Readings" for the relevant week.

A student's participation will be marked by the relevant tutor. A base mark is determined by the student's attendance at workshops on weeks 3-7, 9-13, one base mark for each attendance up to a total of 10%. (Note that weeks 8 are 14 are the weeks of the class tests.) A final mark for this part of the assessment is determined through the tutors' making an assessment of overall participation, and adjusting the base mark accordingly.

A student's participation mark will be available from the course coordinator in Week 3 of Exams.

Special Consideration, Missed Tests, etc
– If you are unable to attend your regular workshop, and you have suitable documentary evidence regarding "illness, disability or other serious cause", then you may apply for Special Consideration through the appropriate channels. Otherwise, you will forfeit the mark for that week.
THE UNIVERSITY OF NEWCASTLE  
Faculty of Education and Arts  
School of Humanities and Social Science  
[Coordinating Faculty and School]

CMNS2720 - Media, Law, Ethics  
Semester 2, 2008

Law Essay

Due by 4:00pm Friday 19 September

Due at a Student Hub (Hardcopy) AND TURNITIN via Blackboard (E-copy)

Worth 25% of final mark Length 1500 words

INSTRUCTIONS

i. Write an essay on any ONE (1) of the topics set out below. Students are also reminded of the information contained in the document "CMNS2720-Media, Law, Ethics Second Semester, 2006" particularly in relation to University policies on plagiarism.

ii. Students should adhere to proper essay style.

iii. The word limit will be strictly applied. Generally, 10% over or under the word limit is acceptable. Assignments that go beyond that limit will be penalised. The footnotes and bibliography do not form part of the word limit.

iv. Referencing should be done with footnotes, rather than the system of referencing that is used in Humanities. Footnotes are always used in LAW. When engaged in professional writing it is important to be able to adapt to the writing / referencing style of the relevant discipline. It is ESSENTIAL that you comply with correct referencing requirements. You may seek clarification from your Law Tutor concerning referencing.

Information regarding referencing will be placed on the Blackboard site.

v. Essays must be accompanied by a Bibliography. This is not part of the word limit.

vi. Essays must be completed in a normal sized font (eg 12 point Times New Roman), and must have 1.5 line spacing. Marks will be deducted where students submit essays in single line spacing. Please also allow 2cm margins so that there is room for commenting.

vii. Ensure that essays comply with the University’s plagiarism policy. Serious consequences will apply in instances of plagiarism.
LAW ESSAY TOPIC CHOICES
Choose only one topic

1. "One of the most important principles of copyright law is that there is no copyright in ideas, opinions, information or facts. It is the form in which ideas, opinions, information or facts are expressed which is protected, and not the ideas themselves" – Armstrong, Lindsay and Watterson *Media Law in Australia* 3rd ed. p. 74.

   Critically examine this principle and its implications for the media.

2. Critically examine the role of freedom of information legislation and its significance for the workings of the Australian media.

3. Critically examine any one of the following areas of broadcasting regulation under the *Broadcasting Services Act 1992* (Cth.) and any other applicable legislation:
   - Children’s television programs; or
   - Australian content of programs;

4. What is defamatory according to contemporary Australian law? Are the media unduly hampered by the legal concept of defamation and the approach of the courts to determining defamatory meaning? What, if any, reforms should be made to the law in these areas and why?

5. Critically examine the law of defamation and its implications for media reporting of a criminal matter.

6. *Publicity is the very soul of justice. It is the keenest spur to exertion and the surest of all guards against improbity. It keeps the judge himself, while trying, under trial. It is to publicity, more than to everything else put together that the English system of procedure owes its being the least bad system as yet extant, instead of being the worst.* Jeremy Bentham, *Judicial Evidence* (1825) at p. 67

   Critically examine the principle of open justice and its operation in the context of media reporting of court proceedings in New South Wales.

7. Critically examine the rights and privileges of the media to attend court for reporting purposes.
Law Assignment check list:

- Does each paragraph contribute something in answer to the question?
- Does my introduction reflect the question and suggest where I will be going?
- Does my conclusion close my arguments well?
- Are all sources correctly referenced? Complied with correct style for referencing in LAW?
- Complied with word count?
- Proof read and spell-checked?
- Given to another to proof read?
- Bibliography? Are texts in alphabetical order according to the author’s last name? Have site ‘hit dates’ (date you accessed the site) been included for internet addresses?
- Essay Plan?
- Signed cover sheet?
- Kept a copy of your assignment?
- Submitted hard copy and TURNITIN copy?
- Have a break!
INSTRUCTIONS

Select one of the following topics, and write a 1500 word essay in response to the question. Except where indicated, all Primary References and case studies (except for Audio-Visual material) are included in the Course Notes; all Further References are available in Auchmuty Short Loans. Your essay MUST display familiarity with the "Primary References" listed below.

Non-Repetition of Work. Students are required to attempt different topics for their tutorial paper and their essay question. For example, if your tutorial paper is on Free Speech and Censorship, then you must not do your essay on this topic. The penalty liable for students found repeating work is the loss of all the marks for one or other of the two pieces of work on the same question.

QUESTIONS

(i) Privacy and the Public Interest
What differences, if any, is there between the respect for privacy owed to public figures (such as politicians or celebrities) and that owed to private people (such as the victims of disasters)? Discuss these issues in light of the case studies, and the considerations raised by Archard and Belsey.

Primary References
1. Archard, D. 'Privacy, the public interest, and a prurient public', in Kieran, M (ed), Media Ethics, (Routledge, 1998), pp 82-96.

Case Studies
ABC. 'What is "Public Interest"?' [Transcript], Media Report 13 Feb 1997.
Farr, M & Barlass, T. 'In the garden of their home, a senator and his wife confront a scandal', Daily Telegraph 7 February 1997.
(ii) Advertising and Belief
Should advertising tell the whole truth, or is it permitted to give only some of the truth? In answering this question, consider the arguments Beauchamp and Machan provide for their views.

Primary References

Case Studies
ABC. 'Concern about Credit Advertisements' [Transcript], *The World Today* 20 Aug 1999.

(iii) Advertising and Desire
Explain in your own terms what Waide understands by the notion of 'associative advertising.' Is such advertising morally objectionable? Consider this question in relation to the readings, making sure to outline Levitt and Waide's key arguments, and their responses to key objections to their opposing views.

Primary References

Case Studies
ABC. 'Rebellious Conformity: the art of advertising' [Transcript], *Media Report* 3 April 2003.

(iv) Free Speech and Censorship
How good a justification for unlimited free speech is the claim that it will lead to truth? Describe in detail, and substantially in your own terms, the views of Mill and Keiran on this issue, and critically evaluate them.

Primary References

Case Studies
ABC. 'Free Speech or censorship on the internet?' [Transcript], *Media Report* 11 April 1996.
3. Texts and References

- **Law Texts and References**
  Students are required to have a copy of the prescribed text, which is available from the University Bookshop:


  References for each week's lecture and tutorial, and primary references for the essays, are contained in the Detailed Weekly Schedule of Topics (below).

- **Additional References:**
  Students may find the following additional e-references and hardcopy references useful, all hardcopy references are available at the Law Reserve in the Auchmuty Library.

**E-references**
- Australian Legal Information Institute: [www.austlii.edu.au](http://www.austlii.edu.au)
- Australian Broadcasting Authority: [www.aba.gov.au](http://www.aba.gov.au)

**Hardcopy References**
- George Patrick, *Defamation Law in Australia* LexiusNexius Butterworths 2006
- David Eady & AT H Smith *Arlidge, Eady and Smith on Contempt* 2nd ed (1999)
- Paul Mallam, Sophie Dawson & Jaclyn Moriarty *Media Law and Practice* (loose-leaf service)
- C J Miller *Contempt of Court* 3rd ed (2000)
• Ethics Texts and References

Ethics Text:
References for each week's lecture and tutorial, and primary references for the essays, are contained in the following text. Students are required to have a copy of the text, which is available from the NUSA Printery:

Mintoff, J (ed). *Media and Ethics, 8th edn*, (School of Humanities and Social Sciences, 2008).

Ethics References:
Students may find the following additional references useful, all of which have been placed in Auchmuty Short Loans.

General Ethics:

Media Ethics:

4. Weekly Schedule of Topics

• Overview of Weekly Schedule of Topics

Week 1: Introduction (Lecturer: Matt Girdler)

Media and Law (Lecturer: Julie Hughes)
Week 2: Copyright Law and its Implications for Journalism
Week 3: Finding the Facts: Freedom of Information Law as an Aid to Media Investigation
Week 4: Regulation of the Media: Broadcasting Regulation and Media Self-Regulation
Week 5: Defamation, Protection of Reputation and Limits on Communication
Week 6: Defamation and the Defences Protecting Free Speech
Week 7: Open Justice, Free Speech and Fair Trial: Media Access to Courts and Contempt of Court
Limits on Media Communication
Law Class Test
**Course Outline - Semester 2, 2008**

**Media and Ethics** (Lecturer: Matt Girdler)

Week 8: Introduction to Ethics; Law Class Test in Tutorial time

Week 9: The Journalists’ Code of Ethics

Week 10: Privacy and Public Interest

Week 11: Advertising and Belief

Week 12: Advertising and Desire

Week 13: Free Speech and Censorship

Week 14: Ethics Class Test

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**Detailed Weekly Schedule of Topics**

**WEEK 1** (21-25 Jul): **Introduction**  
No Tutorials this Week

**WEEK 2** (28 Jul - 1 Aug) **Start LAW Section**  
Lecture: Copyright Law and its Implications for Journalism  
Lecture and Tutorial Reading:  
Breit, R – Chap 9  
Pearson, M – Chapter 11. (Armstrong, Lindsay and Watterson Chapter 5; or Butler & Rodrick Chapter 10; or Reynolds & Stoianoff pp. 156-162, 189-193. Fact Sheet on Copyright (www.copyright.org.au)

**Tutorial Questions:** Copyright Law and its Implications for Journalism

1. Why precisely is it a breach of copyright for a newspaper to print long extracts from a forthcoming unpublished book to give its readers a “sneak preview”? Trace the relevant provisions of the legislation to the extent that you can using the materials supplied for the seminar.

2. Can a “magazine” style television show broadcast segments from television shows broadcast on other stations? For what purposes, precisely? Do those purposes include (a) poking fun at the other shows? (b) poking fun at the persons featured on the clips?

3. A previously confidential diary entry made by a senior public servant reveals the Government’s knowledge of some piece of information at a particular time which the Government has publicly denied knowing at that time. Is a newspaper legally justified in printing (without the permission of the author) lengthy verbatim extracts from the diary including these entries, to demonstrate the veracity of the material?

4. A newspaper wishes to republish the full text of its last year’s editions through a commercial internet service, which will charge members of the public for downloading the articles. Do the journalists who wrote the individual articles have a legitimate claim to receive a part of the payment for the articles? How are the employment arrangements of the particular journalist relevant to this question?

**Tutorial Papers:** No Tutorial Presentations this Week
Lecture: Finding the Facts: Freedom of Information Law as an Aid to Media Investigation

Lecture and Tutorial Reading: Breit, R - Chap 3
Pearson M, Chapter 9. (Armstrong, Lindsay and Waterson Chapter 10; or Butler & Rodrick Chapter 6; or Christopher Enright Federal Administrative Law Chapters 14 & 17.

Tutorial Questions:
Finding the Facts: Freedom of Information Law as an Aid to Media Investigation

Question 1
What are the arguments for having freedom of information?

Question 2
What justification might there be for a government withholding information? Would this apply to a journalist?

Question 3
What is the difference between general and specific access to documents?

Question 4
If a government record about a person is shown to be wrong, and it is corrected, should the old record still be preserved in some way?

Question 5
Section 11 of the FOI Act, the basic provision for specific access, provides a right of access to "documents." What do you think the term "document" should mean?

Question 6
In what form(s) should access to documents be provided?

Question 7
Why do you think that there is generally no standing requirement for access to information?

Question 8
What legal or other dangers might access to information cause?

Question 9
Should an applicant be required to show grounds for obtaining access to information?

Question 10
Practical Activity: Complete F01 request.
Student Tutorial Papers:

i. Copyright

1. Presentation: Recent changes to copyright law and their effects on the media. (See paper located at: www.ag.gov.au)
2. Outline the recent exceptions to the Copyright Act 1968 (Cth) allowing fair dealing for parody or satire. Give actual media examples and explore the matters to be taken into account in using copyright material in the media for the purposes of satire or parody.

ii. Finding the Facts: Freedom of Information Law as an Aid to Media Investigation

1. Outline the case McKinnon v Secretary, Dept of Treasury [2005] FCAFC 142. Discuss the Facts, the legal issues, and the findings of the court.
2. Summarise the Media Reports [ABC Radio National – 28 July 2005 & 4 August 2005] regarding McKinnon v Secretary, Dept of Treasury [2005] FCAFC 142. What procedures did The Australian have to follow to have this matter reach Appeal in the federal Court?

WEEK 4 (11-15 Aug) -----------------------------------------------------

Lecture: Regulation of the Media: Broadcasting Regulation and Media Self-Regulation.
Lecture and Tutorial Reading: Breit, R – Chap 7.
Pearson Chapter 1 & 13.; or Armstrong, Lindsay and Watterson Chapters 9 & 11; or Butler & Rodrick Chapters 1, 12 & 13.

Student Tutorial Papers:

Discuss the following...

1. The Regulation of the Media:
   a. The Role of Legislation - Broadcasting Services Act 1992
      Special Broadcasting Services Act 1991
      Australian Broadcasting Corp Act 1983
      The Broadcasting Services (Australian Content) Standard 1999
      Australian Competition & Consumer Commission
   b. Australian Broadcasting Authority (ABA)
2. Regulatory groups: - Australian Communications and Media Authority (ACMA)  
The Australian Press Council (APC)  
MEAA Ethics Committee  
ACCC  
Media Watch


WEEK 5 (18-22 Aug) -----------------------------------------------------------------------------------------------------------------------------------

Lecture: Defamation, Protection of Reputation and Limits on Communication -  
copy of legislation available on Timebase through library databases.

Lecture and Tutorial Reading: Breit, R – Chap 7  
Pearson Chapter 7; or (Armstrong, Lindsay and Watterson Chapter 2; or Butler & Rodrick Chapter 2.

Student Tutorial Papers: 
Defamation, Protection of Reputation and Limits on Communication

1. Present an overview of the legislation concerning defamation – sections 1-23  
   o What is defamation?  
   o Criteria to establish defamation?  
   o What is a defamatory imputation?  
   o Slander and libel  
   o Defamations and corporations  
   o Apologies

2. Case Reports  
   Provide a case report on one of the following cases, containing: a statement of the facts of the case (10); an outline of the legal issues that arose in the case (15); a statement of the decision in the case (15); lessons for journalists (20).

   2. Steele v Mirror Newspapers [1974] 2 NSWR 348

WEEK 6 (25-29 Aug) .........................................................................................................................................................

**Lecture:** Defamation and the Defences Protecting Free Speech

**Lecture and Tutorial Reading:** Breit, R - Chap 8
Pearson, Chapter 8; or (Armstrong, Lindsay and Watterson Chapter 3; or Butler & Rodrick Chapter 2.

**Student Tutorial Papers:** Defamation and the Defences Protecting Free Speech

1. Provide a case report on one of the following cases, containing: a statement of the facts of the case (10); an outline of the legal issues that arose in the case (15); a statement of the decision in the case (15); lessons for journalists (20).
   
   a. *Rogers v Nationwide News Pty Ltd*
   
   
   c. *O'Shaughnessy v Mirror Newspapers Ltd* (1970) 45 ALJR 59

2. Take up the position of someone on the side of individual rights of privacy and reputation, and present the argument that Australian’s defamation defences are weighted to be heavily in favour of the media.

3. Present an overview of Privacy Law in Australia.

WEEK 7 (1-5 Sep) ..............................................................................................................................................................

**Lecture:** Open Justice, Free Speech and Fair Trial: Media Access to Courts and Contempt of Court Limits on Media Communication

**Lecture and Tutorial Reading:** Breit, R – Chap. 2, 5, 6
Pearson, Chapters 4, 5, 6, & 10; or (Armstrong, Lindsay and Watterson Chapters 6 & 7; or Butler & Rodrick Chapters 4 & 5.

**Student Tutorial Papers:** Open Justice, Free Speech and Fair Trial: Media Access to Courts and Contempt of Court Limits on Media Communication

1. Provide a case report on one of the following cases, containing: a statement of the facts of the case (10); an outline of the legal issues that arose in the case (15); a statement of the decision in the case (15); lessons for journalists (20).
Case Reports:

a. *DPP v Wran* (1987) 7 NSWLR 616
c. *Attorney-General (NSW) v TCN Channel 9 Pty Ltd* [1990] 20 NSWLR 368

2. Write your own report for page 1 of the newspaper on the facts in the
a. Wran case OR
b. Hinch case.

Present this to the class, highlighting the various reasons for writing the report in this manner. Refer to prompts given in your textbook and from other sources, such as the Press Council of Australia guidelines.

(This question represents 2 presentations – ie two students may choose this question, each choosing a different case).

3. The Attorney General’s Department of NSW has issued a Review of the policy on access to court information. Present a summary of the issues raised and the impact these could have on court reporters. Access document:


WEEK 8 (8-12 Sep) **Start ETHICS section**

**Lecture: Introduction to Ethics**

Although we use moral language all the time, little of our discussion directly concerns the truth of the moral principles underlying our discussion. How do we determine what these underlying principles are, and how, if at all, can we determine whether they are true? How can we resolve moral issues, or is morality "all relative"? The first lecture introduces moral discussion, addresses these questions, and provides an overview of this section of the course.

**Lecture Reading:** *Media and Ethics*, ch 1

**Practical/Tutorial:** **Law Class Test**

A ninety minute multiple choice test, on the topics: Copyright Law and its Implications for Journalism; Finding the Facts: Freedom of Information Law as an Aid to Media Investigation; Regulation of the Media: Broadcasting Regulation and Media Self-Regulation; Defamation, Protection of Reputation and Limits on Communication; Defamation and the Defences Protecting Free Speech; Open Justice, Free Speech and Fair Trial: Media Access to Courts and Contempt of Court Limits on Media Communication.
WEEK 9 (15-19 Sep) -----------------------------------------------------------------------------------------------------

Lecture: The Journalists' Code of Ethics
The Media, Entertainment and Arts Alliance’s (MEAA) Code of Ethics claims that their members engaged in journalism commit themselves to 'honesty, fairness, independence, respect for the rights of others'. This lecture introduces the implications of this general statement, through an examination of, and contrast between, the 1984 Code, the 1995 Recommended Revised Code and the resulting 1999 Code of Ethics.

Lecture and Tutorial Reading (Media and Ethics, ch 5)
  – ABC. 'Policing the Media' [Transcript], Lateline 31 August 1995.
  – Delahunty, M & Bacon, W. 'Ethics Code — more than just aspirations?' SMH 1 Sept 1995.
  – ABC. 'Ethics in the media,& who exactly are the As,Bs&Cs?[Transcript], Media Report 3 July, 1997.
• MEAA. 'Code of Ethics' (1999)

Case Studies (Media and Ethics, ch 5)

Practical: Moral Method Case Study: Advertising and Autonomy
The only rational means of addressing disagreements over moral principles and specific cases is argument and counter-argument. This involves talking with, and reading the work of, other people. This practical begins and introduction to some basic techniques for understanding and evaluating moral argumentation by discussing the question of whether advertisements violate the autonomy or rationality of consumers.

Practical Reading: Media and Ethics, chs 2, 3

Tutorial: The Journalists' Code of Ethics
Presenter #1:
(a) Explain in your own terms the chief criticisms made of the 1995 Recommended Revised Code in the Media Report discussions, and the Sydney Morning Herald articles.
Presenter #2:
(b) Explain in your own terms the chief criticisms made of the 1995 Recommended Revised Code in the Lateline discussion.
EACH Presenter:
(c) The answer you need to provide to this question depends on your writing your own Code of Ethics. Using the 1995 Code and the criticisms of it as a basis, write what you take to be a better versions of the clauses related to: (4) the use of fair and honest means; (13,14) respect for privacy. And then justify each clause:
(i) For each clause in your Code which is not exactly the same as the one in the 1995 Code, justify in detail why your change is an improvement, and why it addresses any criticism made of the 1995 version.
(ii) For each clause in your Code which is exactly the same as one in the 1995 Code, justify in detail why you left that clause in, especially if it was one of the clauses criticized.
Lecture: Privacy and Public Interest
Privacy and alleged invasions of privacy are central issues in the ethics of the media. True, it is sometimes necessary to invade someone's privacy for the sake of the public interest. But how far does this justification go?

Lecture and Tutorial Reading (Media and Ethics, ch 6)
Archard, D. 'Privacy, the public interest, and a prurient public', in Kieran, M (ed), Media Ethics, (Routledge, 1998), pp. 82-96.

Case Studies
Farr, M & Barlass, T. 'In the garden of their home, a senator and his wife confront a scandal', Daily Telegraph, 7 February 1997.
ABC. 'What is "Public Interest"?' [Transcript], Media Report 13 Feb 1997.
ABC. 'Cheryl Kernot and the Politics of the Personal' [Transcript], Media Report 4 July 2002.

Practical: Moral Method Case Study: Advertising and Autonomy (cont'd)

Practical Reading: Media and Ethics, chs 2, 3

Tutorial: Privacy and Public Interest
Presenter #1:
(a) Briefly explain the circumstances of Bob Woods, from the Case Studies.
(b) Explain in your own terms Archard's preferred definition of privacy, and illustrate with your own examples when one's privacy has, and has not, been invaded according to this definition.
(c) Explain in your own terms the argument for the claim that when someone, such as a celebrity, is or becomes a public person she, by that very fact, loses her privacy. Explain in your own terms Archard's response to this argument.

Presenter #2:
(d) Briefly explain the circumstances of Cheryl Kernot, from the Case Studies.
(e) Explain in your own terms the three classes of people Belsey distinguishes for different treatment in terms of privacy, and illustrate with contemporary examples people from each of these three classes.
(f) Explain in your own terms the argument for the claim that when public officials come into positions of power within society, then they lose their privacy, for example in contexts of sexual misconduct. Explain in your own terms Archard's response to this type argument.

EACH Presenter:
(g) The answer you need to provide to this question depends on your forming an attitude towards the reporting, in both print and pictures, of both the Bob Woods and Cheryl Kernot cases. Of each case:
(i) If you think that the coverage of the case WAS morally permissible, then explain why you think that Archard's rejection of the reporting of politicians' sexual misconduct is mistaken or inapplicable to that case.
(ii) If you think that the coverage of the case was NOT morally permissible, then explain why you think that Belsey's arguments in defense of such coverage is mistaken or in applicable to that case.
Lecture: Advertising and Belief
An important way in which advertisements influence the purchasing behaviour of consumers is by influencing the beliefs people have about the product in question. But how far can the influencing of people's beliefs be taken? Many will at least give lip service to the idea that outright lies are morally impermissible, but what about more subtle methods of manipulation? This lecture addresses this question.

Lecture and Tutorial Reading (*Media and Ethics*, ch 7)

Case Studies (*Media and Ethics*, ch 7)
ABC. 'Concern about Credit Advertisements' [Sound Recording], *The World Today* 20 Aug 1999.

Practical: Moral Method: Guided Discussion on Advertising and Autonomy
This practical and the next provide guided practice in understanding and evaluating moral argumentation, by continuing to discuss whether advertisements violate the autonomy or rationality of consumers.

Practical Reading: *Media and Ethics*, ch 4.

Tutorial: Advertising and Belief
Presenter #1:
(a) Define in your own terms what Beauchamp means by *coercion, persuasion* and *manipulation*. By referring to actual examples from the media, or otherwise, provide (if possible) your own examples of each of these practices.
(b) Beauchamp canvasses an objection to his analysis of manipulation. Explain in your own terms what this objection is, and how Beauchamp responds to this objection. In your own terms, what is Beauchamp's fundamental argument against manipulation in media practice?
Presenter #2:
(c) Explain what Machan means by *suppressio veri*. By referring to actual examples from the media, or otherwise, provide (if possible) your own examples of this practice.
(d) Explain in your own terms Machan's view and his chief argument for that view. In section III of his paper, he considers an important objection to his view. What is that objection, and his response to it? Explain in your own terms, using your own examples.
EACH Presenter:
(e) The answer you need to provide to this question depends on your forming an attitude towards what Beauchamp refers to as manipulation in advertising. State whether you think that the IRA advertisements discussed by Beauchamp are morally permissible or not. And then:
(i) If you think the IRA advertisements discussed by Beauchamp ARE morally permissible, then explain what you think is wrong with Beauchamp's fundamental argument against manipulation in media practice.
(ii) If you think the IRA advertisements discussed by Beauchamp are NOT morally permissible, then explain why you disagree with Machan's viewpoint, which would imply that they are morally permissible. Be sure to address his arguments.
WEEK 12 (20-24 Oct)  ---------------------------------------------------------------

Lecture: Advertising and Values
A major function of advertising is to influence the purchasing behaviour of consumers. One way it can do this is through influencing people's values, though there are some who claim that this type of influence is immoral. The purpose of this lecture is to examine one such criticism, namely that advertising promotes false values (eg materialism).

Lecture and Tutorial Reading (Media and Ethics, ch 8)

Case Studies (Media and Ethics, ch 8)
ABC. 'Rebellious Conformity: the art of advertising' [Transcript], Media Report 3 April 2003.

Practical: Moral Method: Guided Discussion (continued)

Tutorial: Advertising and Values
Presenter #1:
(a) Explain in your own terms what Waide understands by "associative advertising" and the process it involves; illustrate with your own examples this form of advertising.
Presenter #2:
(b) Explain in your own terms the analogy Levitt draws between art and advertising, and how this is supposed to justify the illusions created by advertising.
(c) At one point Levitt considers the objection that there is a difference between man's 'sacred' distortions and his secular ones. What is the objection, and how does Levitt respond to it?
Presenter #1:
(d) Explain in your own terms Waide's objections to associative advertising, and his response to Levitt's defence of the practice.
EACH Presenter:
(e) The answer you need to provide to this question depends on your forming an attitude towards what Waide refers to as associative advertising. State whether you think that such advertising morally permissible or not. And then:
   (i) If you think that associative advertising IS morally permissible, then explain what you think is wrong with Waide's objections to it.
   (ii) If you think that associative advertising is NOT morally permissible, then explain what morally relevant differences you think there are between artistic illusion and the illusions created by advertising. Be sure to address Levitt's response to those who would draw this distinction.

WEEK 13 (27-31 Oct)  ---------------------------------------------------------------

Lecture: Free Speech and Censorship
The issue of free speech versus censorship is always relevant, if only in the background, in discussions of media ethics. However, the Federal government's 1999 legislation regulating the internet has brought this issue to the forefront. What defences are there for free-speech?

Lecture and Tutorial Reading (Media and Ethics, ch 9)
Mill, J S. 'Of the Liberty of Thought and Discussion', in his On Liberty, (Penguin, 1982), ch II passim.
Case Studies (*Media and Ethics*, ch 9)

**Practical: Philosophy Essays**
This practical provides a brief recap of the lectures on moral methodology, and explains the formal requirements and marking criteria for the Major Essay.

**Practical Reading:** *Media and Ethics*, ch 4

**Tutorial:** *Free Speech and Censorship*
Presenter #1:
(a) Explain in your own terms Mill's claim that "there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered" (Mill 1982: 75 fn), and what you take to be Kieran's primary claim. Using an example of your own, show how the two views might have different implications about the moral permissibility of free speech in some cases.
(b) Explain in your own terms Mill's first argument for his primary claim. Describe one objection he considers to that argument, and his response.

Presenter #2:
(c) Explain in your own terms the argument Mill provides towards the middle of Chapter II of *On Liberty*, in what he calls the "second division" of his overall argument. Describe one objection he considers to that argument, and his response.
(d) Late in Chapter II of *On Liberty*, Mill considers the argument for his view that there is some truth in both sides of a debate. Explain this argument in your own terms. Describe one objection he considers to that argument, and his response.

EACH Presenter:
(e) The answer you need to provide to this question depends on your forming an attitude towards completely unrestricted free speech. State whether you agree with the claim that "there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered". And then:
(i) If you think this claim is TRUE, then explain what you think is wrong with the qualifications which Kieran wants to place on this principle.
(ii) If you think this claim is NOT true, then explain what you think is wrong with the arguments Mill provides for this principle.

**WEEK 14** (3-7 Nov) ---------------------------------------- --------------------------------------------------- --------

**Lecture:** No Lecture This Week

**Practical/Tutorial:** *Ethics Class Test*
A ninety minute multiple choice test, on the topics: The Journalists' Code of Ethics; Privacy and Public Interest; Advertising and Belief; Advertising and Values; Free Speech and Censorship