

Module 24: Media Law

Stage		3					
Semester		1 or 2					
Module Title		LLBH-M					
Module Number		24					
Module Status		Elective					
Module ECTS Credits		5					
Module NFQ level		8					
Pre-Requisite Module Titles		None					
Co-Requisite Module Titles		None					
Capstone Module?		No					
List of Module Teaching Personnel		Dr Ewa Komorek					
Contact Hours				Non-contact Hours			Total Effort (hours)
24				76			100
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
24						76	100
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution	30			70	100		

Intended Module Learning Outcomes

On successful completion of this module, learners will be able to:

1. Demonstrate extensive, up to date knowledge of the principles and rules of media law including regulation of media rights - freedom of expression and freedom of information; and regulation of limitations of media rights: defamation, privacy, media and public morality (obscenity, blasphemy, incitement to hatred), media and administration of justice (reporting the courts; contempt of court; journalistic privilege), regulation of broadcasting and press, copyright)
2. Apply rules and principles to identify, analyse and find solutions to media law problems;
3. Demonstrate a developed awareness of where the principles of media law fit in a philosophical, social, political, humanistic, economic and commercial context;

4. Identify and critically analyse the challenges posed to traditional media law concepts by the development of new media environment (the “Web 2.0” phenomenon)
5. Show detailed critical understanding of the general ethical and professional responsibilities in media law litigation;
6. Exercise judgment and advanced interpersonal skills to facilitate informed decisions on complex media law issues and take responsibility for own learning and development;
7. Research, interpret and apply the various legal rules and principles of media law

Module Objectives

1. To provide a detailed overview of the principles of media law
2. To enable the learner to solve complex media law questions.
3. To develop a political, philosophical and technical understanding of the fundamental principles of media law
4. To provide the learner with the ability to appreciate the challenges posed to traditional media law concepts by the development of new media

Module Curriculum

- Media rights:
 - Freedom of Expression (Article 10 ECHR)
- Limitations of media rights:
 - Defamation
 - Privacy
- The Media and Public Morality (blasphemy; incitement to hatred; religious advertising; taste and decency rules)
- The Media and Politics (requirement of impartiality; ban on political advertising)
- The Media and Administration of Justice (principle of open justice; reporting the courts - contempt of court; journalistic privilege)
- Regulation of Broadcasting and Press (AVMS Directive; Broadcasting Act 2009; Press Council / Ombudsman / Code of Practice)
- Media pluralism
- Copyright and Regulation of New Media environment (liability of ISPs; defamation and privacy on Twitter, Facebook etc.)

Reading lists and other learning materials

Primary Reading:

Carolan, E. & O’Neill, A. (2010) *Media Law in Ireland*. Dublin: Bloomsbury
 Castendyk, O., Dommering, E. J., Scheuer, A. (2008) *European Media Law*. Austin: Kluwer
 Komorek, E. (2013) *Media pluralism and European law*. London: Kluwer
 McGonagle, M. (2014) *Media Law*. Dublin: Round Hall
 Robertson, G. & Nicol, A.G.L. (2008) *Media Law*. London: Penguin Books

Secondary Reading:

- Barendt, E. (2007) *Freedom of Speech*. Oxford: OUP
- Clark, R. & Smyth, S. (2010) *Intellectual Property Law in Ireland*. Dublin: Tottel
- Clayton, R., Tomlinson, H. (2001) *Privacy and freedom of expression*. Oxford: OUP
- Cox, N. (2007) *Defamation Law*. Dublin: First Law
- Cox, N. (2000) *Blasphemy and the law in Ireland*. Lewiston: Edwin Mellen Press
- Czepek, A., et al (2009) *Press Freedom and Pluralism in Europe: Concepts and Conditions*. Bristol: Intellect Books
- De Londras, F., Kelly, C. (2010) *European Convention on Human Rights Act : operation, impact and analysis*. Dublin: Round Hall
- Delany, H., Carolan, E. (2008) (with a contribution on French privacy law by Cliodhna Murphy) *The right to privacy: a doctrinal and comparative analysis*. Dublin: Round Hall
- Harris, D. et al. (2009) *Law of the European Convention on Human Rights*. Oxford: OUP
- Ovey, C., White, R. (2002) *Jacobs and White European convention on human rights*. Oxford: OUP
- Tweed, P. (2012) *Privacy and Libel Law: the clash with Press Freedom*. Haywards Heath: Bloomsbury
- Wacks, R. (2013) *Privacy and Media Freedom*. Oxford: OUP
- Winston, B. (2005) *Messages: free expression, media and the west from Gutenberg to Google*. London: Routledge

Module Learning Environment

Accommodation

Lectures and workshops take place in a classroom setting. Participants also have access to online teaching resources and Moodle

Library

All learners have access to an extensive range of “physical” and “remote access” library resources. The library monitors and updates its resources on an on-going basis, in line with the College’s Library Acquisition Policy. Lecturers collaborate with the library in updating reading lists for this course on an annual basis as is the norm with all programmes run by Griffith College.

6 Module Teaching and Learning Strategy

This module is delivered through a series of lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and reading.

Through an online Moodle tool *Weekly Media Law News* learners are asked to locate, post

and comment on recent media law related developments which help them recognize the significance of rules and procedures for the modern media environment.

Learners also engage in collaborative work in pairs or groups to discuss media law cases, press articles and new online developments. In order to support learners through the exam process they engage in the answering of sample exam questions and correction of their own or peers papers, thereby familiarising themselves with the marking criteria.

Module Assessment Strategy

Element No.	Weighting	Type	Description	Module Learning outcomes
1	30%	Assignment	Theoretical knowledge is assessed through submission of a written assignment worth 30%. The written assignment develops legal research ability, critical analysis of sources of law and written communication skills.	7
2	70%	Exam	The 2.5 hour written examination primarily consists of problem and essay style questions. The examination not only assesses the learner’s ability to recount the law, but apply it to problem questions and provide critical analysis in the essay style questions.	1-6

Sample Assessment with Rubrics - see Annex 2