

MODULE 1: Media Law & Ethics

Stage				1			
Semester				1			
Module Title				Media Law & Ethics			
Module Number				1			
Module Status (Mandatory/Elective)				Mandatory			
Module ECTS credit				5			
Module NFQ level (only if applicable)				9			
Pre-requisite Module Titles				N/A			
Co-requisite Module Titles				N/A			
Is this a capstone module? (Yes or No)				No			
List of Module Teaching Personnel				Siobhan Gaffney, Ronan Brady			
Contact Hours				Non-contact Hours			Total Effort (Hours)
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent work	
24		12		36		48	120
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage contribution	40%			60%	100%		

Intended Module Learning Outcomes

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

1. Apply at an advanced level, the requisite knowledge, concepts and perspectives relevant to their work in media related employment.
2. Demonstrate independent critical judgement and analytical skills in new or unfamiliar, logistical, managerial or ethical contexts related to professional media practice.
3. Apply ethical standards to their work in familiar and potentially unfamiliar situations.
4. Critically evaluate the legal and professional implications for their own, and their employers', interests of dubious or questionable media content.
5. Act appropriately on the legal significance, when relevant, of current events, proposed legislation, court and tribunal decisions, public issues and controversies, news items, etc.

Module Objectives

This module provides an overview of the Irish legal system whilst focusing in detail on areas of the law particularly relevant to contemporary journalism. Thus, the law of copyright and defamation is explored in a comprehensive and practical manner. Learners are introduced to the law of contempt of court and the emerging law of privacy and intellectual copyright in a digital age. An overview of

contract and company law is also provided. This course also introduces learners to the ethical considerations that apply to the discipline of journalism.

Module Aims

This module aims to enable to:

- Impart knowledge within relevant legal doctrines, concepts, processes and terms, so that, *inter alia*, they recognise occasions when professional legal opinion must be sought.
- Develop mastery of legal and ethical constraints.
- Anticipate and lead adaptation to a rapidly changing legal environment, due to the interaction of societal and technological transformation

Module Curriculum

Introduction to Ethics

This topic examines what is meant by the term 'ethics' and importantly how it relates to the media. The introductory lecture offers a foundation in what is meant by ethics including secular philosophical approaches to the subject before progressing to cover and examine the National Union of Journalist's Code of Conduct.

NUJ Code of Conduct

Specific aspects of the NUJ code of conduct (e.g. privacy, deception, protection of sources, public service broadcasting, press regulation) is covered as part of this module's examination of ethics.

Examples of Media Ethical Issues

The purpose of this section is to get learners to grapple with the problems as they become evident. It is anticipated that the examples used are constantly updated to take into account current events. The Leveson enquiry and its impact on British media are used as a starting point given our proximity and the interwoven nature of the British and Irish media.

The Irish Legal System and Reporting from the Courts

This section covers the Common law system, the Irish Constitution, the division of the courts between civil matters and criminal matters, the jurisdiction of the District Court, the Circuit Court, the Central Criminal Court, the High Court, the Court of Criminal Appeal, the Special Criminal Court and the Supreme Court. In this section we examine the constraints journalists often operate in when reporting from the courts e.g. where and when are journalists allowed? The restrictions; what is meant by contempt of court?; when and how can you take and publish photograph?; what is meant by *in camera*?

Freedom of Expression;

This section examines the origins of the doctrine, the constitutional guarantee of article 40, the courts balance of rights between freedom of expression and persons right to a fair trial or persons right to

privacy, major case law relating to freedom of expression and also a look at other parts of the world where freedom of expression is not guaranteed i.e. Russia, Sri Lanka, Africa.

Privacy and Defamation Law

This section examines:

- what is meant by 'privacy'?
- public figures and privacy
- the difference between a photograph and a written article in the context of privacy law
- consequences of breaching privacy laws
- how privacy law affects the media.

The module also examines defamation and what is meant by it. We examine what a person can and cannot say about someone without being sued for libel and what the difference is between slander and libel.

Copyright and Data Protection

This section examines what materials are covered by copyright; what are original works, what is meant by literary; and addresses the question as to whether copyright law good or bad for the media. The relationship between the media and data protection; the duties of a data controller; what 'data' is and what is 'sensitive personal data' are also examined.

Reading lists and other learning materials

Recommended Reading

- Christians, C.G. et al., 2008. *Media Ethics: Cases and Moral Reasoning* 8th ed., New York: Allyn & Bacon.
- Curran & Seaton. 2004. *Power without Responsibility* 6th Ed.. Routledge: London.
- Doolan, B. 2007. *Principles of Irish Law*. 7th Edition Gill & Macmillan: Dublin.
- Frost, C., 2007. *Journalism ethics and regulation*, Harlow: Pearson Education.
- Kelleher, D., 2006. *Privacy and Data Protection Law in Ireland*, Tottel Publishing: Haywards Heath.
- McGonagle, M. 2003, *Media law*. 2nd Edition Round Hall: Dublin.
- McHugh, D. 2001. *Libel Law: a handbook for journalists*. 2nd Edition Round Hall: Dublin
- Plaisance, P.L., 2009. *Media ethics : key principles for responsible practice*, Los Angeles: SAGE.

Secondary Reading

- Belsey, A. & Chadwick, R., 1992. *Ethical Issues in Journalism and the Media* 1st ed., Routledge.
- Byrne & McCutcheon. 2001. *The Irish Legal System*. Butterworths: Dublin.
- Clark, R. 2006. *Irish Copyright and Design Law* Butterworths: Dublin.
- Clark, R. 2005. *Intellectual Property Law in Ireland* 2nd Ed. Tottel: Haywards Heath.
- Clark, R., 2008. *Contract Law in Ireland* 6th ed. Round Hall Ltd.
- Eldridge, J.E.T. & Philo, G., 1995. *Glasgow Media Group reader*, New York: Routledge.
- Ess, C., 2009. *Digital Media Ethics*, Polity Press.
- Evans, H., 1983. *Good Times, Bad Times* First., Weidenfeld and Nicolson, London.
- Forde, M. 2007. *Company Law 4th ed*. Round Hall Sweet and Maxwell: Dublin.
- Friel, R. 2000. *Law of Contract 2nd ed*. Round Hall: Dublin.
- Glasgow University Media Group. & Philo, G., 1995. *Glasgow Media Group Reader*. Vol. 2, Industry, economy, war and politics, London: Routledge.
- Keane, J. 1991. *The Media & Democracy* Polity: Cambridge.
- Keane, R. 2007. *Company Law 4th ed*. Tottel: Haywards Heath.
- McDonagh, M. 2006. *Freedom of information law in Ireland*. Round Hall: Dublin.

Murphy, Y. 2000. *Journalists and the law*. 2nd Edition Round Hall: Dublin.
 Robertson, G. & Nicol, A.G.L., 2008. *Media law*, London: Penguin.
 Sanders, K., 2003. *Ethics and Journalism*, London: Sage Publications Ltd.

Module Learning Environment

The learning environment is designed to both engage the learners and to encourage their critical thinking. This is achieved through lectures which are designed to stimulate discussions and questions.

Learners are also supported with resources to offer structure and guidance. This includes lecture notes, reading materials as well as a detailed module curriculum which includes the learning outcomes, a class schedule, the necessary reading material and the assignment strategy. Participants also have access to Moodle, the College's Virtual Learning Environment (VLE).

Module Teaching and Learning Strategy

This module is taught through a mixture of formal and participative lectures, allowing learner interaction and questioning. Case studies are presented to the class in order to highlight the practical ramifications of the subject matter. The module is supported with structured web-based resources and applies the use of the programme Teaching Learning and Assessment methodologies. Specifically, the module is delivered using:

- Case Studies
- Formal Lectures
- Participative Lectures
- Workshops / Tutorials

Module Assessment Strategy

The module is examined by an exam (60%) which tests the learners' understanding of the Irish legal system and how it relates to the media and an assignment (40%) which measures the learners' ability to comprehend and analyse ethical dilemmas which may emerge.

Element Number	Weighting	Type	Description
1	40%	Coursework	Assignment
2	60%	Examination	End of semester Closed Book examination