

<b>Module Title:</b>	Media Law and the Digital Environment
<b>Language of Instruction:</b>	English
<b>Credits:</b>	5
<b>NFQ Level:</b>	8
<b>Module Delivered In</b>	<a href="#">2 programme(s)</a>
<b>Teaching &amp; Learning Strategies:</b>	<p>The learning outcomes detailed above will be achieved through the following teaching methodologies:</p> <ul style="list-style-type: none"> <li>• Lectures - communication of knowledge and ideas from the lecturer to the student.</li> <li>• Tutorials - will enable the students to discuss the material critically and thoroughly by teasing out difficult points; solving problems; debating controversial topics etc. in an intimate and supportive environment</li> <li>• Problem Solving Exercises – students will work as part of a team and will work together to resolve various contract scenarios.</li> <li>• Class Discussion/Debate - Students will be encouraged to actively participate in the class sessions which will develop their analytical and communication skills.</li> <li>• E-Learning – It is envisaged that the module will be supported with on-line learning materials.</li> <li>• Self-Directed Independent Learning – the emphasis on independent learning will develop a strong and autonomous work and learning practices.</li> </ul>
<b>Module Aim:</b>	<p>The aim of this module is to guide the learner through a course of study, which should enable him/her gain knowledge of the principle theories of law which impact on the field of media and to examine the role of the media in a constitutional democracy, thereby assisting the student to develop the analytical skills required to apply their legal knowledge to various scenarios.</p>
<b>Learning Outcomes</b>	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Be able to analyse and discuss the various fundamental rights which impact upon the field of media, in particular the Right to Privacy and Freedom of Expression.
LO2	Display understanding of the relevance of Data Protection and Freedom of Information legislation to the field of Media.
LO3	Select and apply their knowledge to avoid and/or solve legal problems in the areas of freedom of expression, privacy and data privacy in practice
LO4	Be able to explain the rationale for censorship in a democratic society and describe how it manifests in this jurisdiction across traditional and digital media.
<b>Pre-requisite learning</b>	
<b>Module Recommendations</b>	
<i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>	
No recommendations listed	
<b>Incompatible Modules</b>	
<i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>	
No incompatible modules listed	
<b>Co-requisite Modules</b>	
No Co-requisite modules listed	
<b>Requirements</b>	
<i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i>	
No requirements listed	

## Module Content & Assessment

### Indicative Content

#### The Media and the Constitution (Fundamental Rights and role of media)

Interaction between relevant fundamental rights • Freedom of Expression(Art. 40.6) • Right to a Good Name(Art. 40.3.2) • Right to a Fair trial (Art. 38.1)• Right to Privacy(Art. 40.3)• Constitutional role in Open Justice(Art 34.1), • Media role of informing public and criticising Government policy (Art. 40.6)

#### Introduction to theories of Freedom of Expression and the Media

• Deontological & Instrumental approaches • Freedom of Expression as a fundamental value • The Pursuit of Truth • Market Place of Ideas • 'post truth' Speech and democracy/ role in politics • Expression and autonomy • The European Convention on Human Rights

#### Censorship

• Curtailment of Freedom of Expression: • Public order/morality • Anti-discrimination legislation, • Prohibition of Incitement to Hatred, • Child Trafficking and Pornography Act 1998 • Censorship of print/broadcasting/digital formats • Reform-Office of internet safety/Internet safety Commissioner

#### Fundamental right to Privacy

• Art. 40.3 of the Constitution /Art 8 ECHR • Privacy in Ireland as it affects journalists, bloggers, social media users-Civil action for damages for breach of privacy, common law precedent, court tests in constitutional action • Alternative routes for asserting privacy rights-action for breach of confidence, trespass, negligence, contract etc • Public interest as a defence to breach of privacy • Legislation concerning criminal aspects of breach of privacy: • Harassment, Harmful Communications and Related Offences Act 2020 • Non-Fatal Offences Against the Person Act 1997

#### Data Protection & Freedom of Information

• GDPR 2016, Data Protection Act 2018, ePrivacy Regs 2011, Communications (Retention of Data) Act 2011 • Protection of privacy of individuals with regard to personal data, • Journalistic exemption • Rights of data subjects, duties of data controllers/processors • Functions and powers of the Data Protection Commissioner • Freedom of Information Act 2014 • Information held by Public Bodies, • Right of any member of the public to access records • procedures for requesting information, form of access, • grounds for refusal of access, exempt records, • Function and powers of Information Commissioner

### Assessment Breakdown

%

Continuous Assessment

100.00%

### Continuous Assessment

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Other	Submission of written assessment concerning solving problem scenario(s) relevant to the module content.	1,2,3,4	100.00	n/a

No Project

No Practical

No End of Module Formal Examination

SETU Carlow Campus reserves the right to alter the nature and timings of assessment

**Module Workload**

<b>Workload: Full Time</b>		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	12 Weeks per Stage	3.00
Independent Learning	15 Weeks per Stage	5.93
Total Hours		125.00

**Module Delivered In**

Programme Code	Programme	Semester	Delivery
CW_BBLAW_B	<a href="#">Bachelor of Business (Honours) in Business with Law</a>	5	Elective
CW_HHLAW_B OLD	<a href="#">Honours Bachelor of Laws Degree - LLB</a>	3	Elective