

# Recent Developments in Media Law

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## Overview

Recent years have seen far-reaching changes to the media landscape in most countries. Some of these changes have presented serious challenges to government policy-makers, legislative draftsmen, investors in the media sector, journalists and other media practitioners, legal advisers and regulatory authorities, among others. These changes have also called for fresh thinking on the part of scholars engaged in the study of media law, and have required, in some cases, a paradigm shift in their approach to the use of the law to regulate the media without sacrificing the cherished tenets of free speech and other fundamental values.

Given that India has had, and continues to have, a vibrant media sector which has, over the years, contributed substantially to national development in various ways, and given that Indian law-makers and judges are known to be receptive to ideas from outside, a course on recent developments in the area of media law would be hugely beneficial to a range of audiences. Such a course would also be topical, given that law affecting the media has been the subject of focused attention among both law-makers and the courts in recent years.

A particular benefit of the course would be to encourage cross-pollination of ideas between India and other comparable jurisdictions on such matters as defamation, contempt of court, hate speech and copyright – in all of which areas there has been significant interest and activity in India recently. The foreign resource person being chosen for this course is eminently qualified to initiate such cross-pollination, given his extensive familiarity with critical developments in media law around the world – and in particular within the Commonwealth – as well as his deep understanding of the state of the Indian media.

This course will examine the changing nature of the media landscape around the world and the demands that are being placed on the law to meet the challenges of such change. It will reassess the strategies used to strike a fair balance between freedom of expression and the various countervailing interests that are prized in democracies wedded to the rule of law. The course

will also pay attention to specific innovations that have been attempted in discrete areas such as defamation, contempt of court, breach of parliamentary privilege, hate speech, obscenity, and violation of copyright – and the lessons that can be learned from them. Since many of these areas are governed by common law in India (with statutory provisions often based on British precedents), particular emphasis will be placed on developments of relevance in the United Kingdom.

<b>Modules</b>	<p>There will be Ten 2-hour lecture modules every day between 28<sup>th</sup> August and 8<sup>th</sup> September (Saturdays and Sundays excluded) on the following themes:-</p> <ol style="list-style-type: none"> <li>1. Freedom of expression and its limits</li> <li>2. Defamation</li> <li>3. Contempt of court</li> <li>4. Hate speech</li> <li>5. Public order and public tranquillity</li> <li>6. National security</li> <li>7. Parliamentary privilege</li> <li>8. Copyright</li> <li>9. Regulation of the ‘new’ media (including social media)</li> <li>10. Administrative restrictions on the media</li> </ol>
<b>Who can attend</b>	<ul style="list-style-type: none"> <li>• Under-graduate and post-graduate students, researchers and teachers of international law and criminal law;</li> <li>• Legal practitioners and judges;</li> <li>• Media practitioners, including executives from the media sector with relevant experience of legal/regulatory matters.</li> </ul> <p>Selection of participants shall be made by the Course Co-ordinator in consultation with the Faculty.</p>
<b>Fees</b>	<ul style="list-style-type: none"> <li>• Participants from abroad: US \$300</li> <li>• Students from WBNUJS: Free of cost</li> <li>• Indian students from other institutions: INR 2000</li> <li>• Academics, researchers, media persons, legal practitioners and others: INR 2500</li> </ul> <p>The abovementioned fees will include all instructional materials, computer use for tutorials and free internet facility throughout the duration of the course.</p>

## The Faculty



Dr. Venkat Iyer is a senior British academic attached to School of Law at Ulster University in Northern Ireland (UK). He has had over 20 years of teaching and research experience, and is an acknowledged expert in the area of media law. Dr Iyer is also a barrister who has, in the course of his practice, dealt with media law issues quite extensively. His eminence in this field has been recognised globally, with invitations from numerous governments, inter-governmental organisations, non-governmental organisations and private corporations for advisory and training services.

Dr Iyer has also taught at a number of universities around the world as a visiting professor. Despite being based in the UK, Dr Iyer has kept himself closely informed about legal developments in India, and has, for the past 30 years, lectured on media law as an adjunct professor at the Xavier Institute of Communication, Bombay, one of India's premier journalism schools. He has published extensively on the subject, and is the Editor of two prestigious journals, *The Commonwealth Lawyer* and *The Round Table: The Commonwealth Journal of International Affairs*, both published from London. His knowledge and experience was recognised by the British Government when it invited him to serve as Law Commissioner for Northern Ireland – a position he held for seven years beginning in 2008.



Dr. Shameek Sen is a graduate of the very first batch of NUJS. He pursued his LL.M., M.Phil. and Ph.D. from NUJS. He was awarded the Nani Palkhivala Gold Medal for Academic Excellence for securing the highest marks in LL.M. He joined as an Assistant Professor in 2007. Sen specializes in the area of Public Laws. He offers compulsory courses on Constitutional Law and an optional course on Media Law. In addition to teaching, he has several publications on Public Law issues in national and international journals and books. He has presented papers in several national and international conferences. Apart from NUJS, Sen delivers lectures on different themes on Law and the Media in the Statesman Print Journalism School, Kolkata.

## Course Co-ordinator

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