

NATIONAL UNIVERSITY OF IRELAND, GALWAY.

SPRING EXAMINATIONS 1999-2000

HIGHER DIPLOMA IN APPLIED COMMUNICATIONS  
M.A. IN LITERATURE AND PUBLISHING

LAW (LW 871)

Marie McGonagle

Answer **ONE** question from Part 1 and **TWO** questions from Part 2.

All questions carry equal marks.

Time allowed: TWO AND A HALF HOURS

PART 1

1. Explain the hierarchy of courts in the Irish system, indicating the role each of the main courts plays as regards media- or publishing-related cases.
2. Explain the role of the High Court in civil, criminal and constitutional matters, with particular reference to media- or publishing-related cases.
3. List the principal sources of law and analyse the importance of any **ONE** of them for the media in general or for book publishers in particular.

PART 2

4. Choose **THREE** aspects of the Freedom of Information Act 1997 that you consider to be of particular importance. Explain what they involve, as well as their significance for journalists or publishers.

PTO

5. Suppose that a radio current affairs programme was discussing the Department of Foreign Affairs' handling of the peace process in Northern Ireland. A panellist referred to the leaking of information from the Department some time ago and stated that there had been a lot of bitterness in the Department since and that a senior official had been removed from his post as a result. (It was true that there had been some internal wrangling in the Department but no senior official had been removed from his post. There were five senior officials in total in the relevant section of the Department and two had resigned to take up more senior posts abroad.)

Advise the radio station as to:

- whether it could be sued for defamation and,
- if so, by whom, and
- what defence(s), if any, it would have.

6. A journalist has just broken a story about a builder who offered an apartment to a local councillor in exchange for planning permission for a large apartment scheme in a little fishing village, in a locality much sought after by city dwellers. The journalist is told that if the builder is prosecuted, she will have to give evidence. She seeks your advice as to what will happen if she refuses to do so rather than reveal her sources. Explain to her the position in Irish law regarding confidentiality of sources.

7. "Public concern has been expressed in recent years about invasions of privacy by the media, particularly by the press. Much of the concern has arisen as a result of the publishing of intimate private details of the lives of public figures, including photographs. Concern also stems however from the photographing and interviewing of ordinary citizens in circumstances of great personal tragedy." (Law Reform Commission, Report on Privacy). Discuss the law's response to such problems.

8. Answer ONE of the following::

- a) Suppose you have just been offered a six months contract to work for a newspaper or book publisher. Set out the legal rights and safeguards you would expect to have as an employee.
- b) The general principle that governs advertising is that it should be legal, honest, decent and truthful. Discuss, in relation to print or broadcast advertising.
- c) Copyright is a two-edged sword: it ensures authors a return on their work but restricts usage of the work to others. Discuss.
- d) A very important aspect of an author-publisher contract is the ownership and control of rights. Discuss.