The Further Education and Training Awards Council (FETAC) was set up as a statutory body on 11 June 2001 by the Minister for Education and Science. Under the Qualifications (Education & Training) Act, 1999, FETAC now has responsibility for making awards previously made by NCVA.

Module Descriptor

Ethical and Legal Issues in Media

Level 6  N32751

www.fetac.ie
# Level 6 Module Descriptor

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<tr>
<td>Preferred Entry Level</td>
<td>Recommends the level of previous achievement or experience of the learner.</td>
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<td>Glossary of Assessment Techniques</td>
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<td>Assessment Principles</td>
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Introduction

A module is a statement of the standards to be achieved to gain a FETAC award. Candidates are assessed to establish whether they have achieved the required standards. Credit is awarded for each module successfully completed.

The standards in a module are expressed principally in terms of specific learning outcomes, i.e. what the learner will be able to do on successful completion of the module. The other elements of the module - the purpose, general aims, assessment details and assessment criteria - combine with the learning outcomes to state the standards in a holistic way.

While FETAC is responsible for setting the standards for certification in partnership with course providers and industry, it is the course providers who are responsible for the design of the learning programmes. The duration, content and delivery of learning programmes should be appropriate to the learners’ needs and interests, and should enable the learners to reach the standard as described in the modules. Modules may be delivered alone or integrated with other modules.

The development of learners’ core skills is a key objective of vocational education and training. The opportunity to develop these skills may arise through a single module or a range of modules. The core skills include:

- taking initiative
- taking responsibility for one’s own learning and progress
- problem solving
- applying theoretical knowledge in practical contexts
- being numerate and literate
- having information and communication technology skills
- sourcing and organising information effectively
- listening effectively
- communicating orally and in writing
- working effectively in group situations
- understanding health and safety issues
- reflecting on and evaluating quality of own learning and achievement.

Course providers are encouraged to design programmes which enable learners to develop core skills.
Module Title  Ethical and Legal Issues in Media

Module Code  N32751

Level  6

Credit Value  1 credit

Purpose  This module is a statement of the standards to be achieved to gain a FETAC credit in Ethical and Legal Issues in Media at Level 6. It is intended to enable candidates to have an in depth awareness of the ethical and legal issues concerning the media.

The module is designed to prepare learners for working in the media and in journalist circles where they may already have some working knowledge of ethics and legislation that pertains to the media.

Preferred Entry Level  None

Special Requirements  None.

General Aims

Learners who successfully complete this module will:

8.1  develop an awareness of the variety of ethical dilemmas that exist in media circles

8.2  understand the link between codes of conduct, standards and ethics in print, broadcast and online media

8.3  develop a detailed knowledge of the critical elements of Irish Media law including current changes or proposals for change

8.4  understand the international dimension to media law
The specific learning outcomes are grouped into 5 units.

Unit 1  Ethical Dilemmas
Unit 2  Standards and Codes of Conduct
Unit 3  Media Law
Unit 4  Reporting in Court and on Industrial Relations Disputes
Unit 5  Reporting on Local and National Politics

10 Specific Learning Outcomes

Unit 1  Ethical Dilemmas

Learners should be able to:

10.1.1 define media ethics

10.1.2 distinguish between mainstream journalism and alternative journalism

10.1.3 understand the primary ethical dilemmas (like the choice of sector to work for – mainstream, alternative or freelance)

10.1.4 understand the secondary ethical dilemmas journalists must confront (like choice to challenge stereotypes, discrimination based on sex, disability, age, mental health, race etc. as well as political correctness)

10.1.4 distinguish between objectivity and subjectivity (fact / versus opinion / media bias) and understand the term ‘Balanced Reporting’

10.1.5 understand the link between ‘Balanced Reporting’, ‘Profit-led Reporting’, the use of the media for Propaganda purposes and ‘State-media relations’

10.1.6 define the terms ‘Investigative Journalism’ and ‘Subtefuge’

10.1.7 identify and evaluate the range of day to day ethical dilemmas for reporters including invasion of privacy, whistle-blowers, chequebook journalism, over-deception, reconstructions, racism, homophobia, international cover-ups, suspected collusion, political corruption and the reporting of terrorism

10.1.8 explain the ethical issues that arise in Photo Journalism e.g. nudism, model release, privacy, soft pornographic shots, sports feminism, sexism, graphical representations e.g. cartoon caricatures of politicians
10.1.9 identify the ethical issues relating to Broadcast Journalism e.g. radio tone, interview bias, language usage in the media / sexist language, racist language or stereotypical categorisations

10.1.10 identify ethical issues relating to TV, film and video e.g. censorship and movie reviews

10.1.11 identify ethical implications of deregulation of the media and concentration of media ownership.

Unit 2 Standards and Codes of Conduct

Learners should be able to:

10.2.1 distinguish between media standards and codes of conduct

10.2.2 understand the meanings of journalistic accountability, the professionalism myth and the harm limitation principle

10.2.3 define the codes of conduct of Media regulators e.g. the BAI (BCI / BCC) and Comreg

10.2.4 evaluate the standard codes of conduct that exist in the media industry in the context of ‘Balanced Reporting’ e.g. standard codes in organisations like the NUJ, the Society of Professional Journalists, The ASAI and Presswise

10.2.5 understand the role of the NNI in relation to Press Monitoring

10.2.6 outline internal and external controls used within a specific media organisation e.g. the roles of the news editor etc.

10.2.7 evaluate the Codes of Conduct that exist in relation to Photojournalism and the Paparazzi

10.2.8 explain how a Press Council and Ombudsman can threaten Press freedom

10.2.9 explain the term ‘Self Regulation’ in relation to control of the Press and the Media.
Unit 3  

**Media Law**

*Learners should be able to:*

10.3.1 explain different aspects of legislation affecting the media e.g. the Broadcasting Act, the Radio and TV Act, the Data Protection Act, the Freedom of Information Acts, the Official Secrets Act etc.

10.3.2 understand the statutory regulation of Broadcasting, the functions of media regulators i.e. The BAI (BCI and BCC) and ComReg and laws relating to digital media

10.3.4 explain Irish defamation law

10.3.5 distinguish between libel (class libel / corporate libel) and slander

10.3.6 identify libel laws that apply to the internet

10.3.7 identify different types of defamation in the Print media, in an Audio (words), Visual (pictures, photos, cartoon caricatures) and online context

10.3.8 explore the functions of the Law Reform Commission and the reasons for any reform or modernisation of Irish defamation law

10.3.9 evaluate the dangers and effects of ‘trial by media’

10.3.10 understand the constitutional rights of the individual (right to personal liberty, freedom of expression)

10.3.11 explain how conflicts of interest arise between ‘freedom of the press’ and the right of privacy of the individual, journalistic privilege, editorial diversity, journalistic accountability and codes of conduct

10.3.12 identify the conflict between the secret state (CCTVs, Intelligence services) and privacy laws

10.3.13 explore media law relating to the protection of children, children’s advertising and parental controls of the internet

10.3.14 understand media law relating to censorship - print, visual, audio e.g. movie / PG ratings, nudity, violence swearing (e.g. Censorship of Publications Act and Censorship of Films Act, Video Recordings Act) and identify any organisations that monitor it

10.3.15 identify and understand the Safety Health and Welfare at work Act and its application to the safe operation of radio, tv, sound
equipment e.g. microphone connections, leads, hearing safeguards etc.

10.3.15 distinguish between intellectual property and copyright and explain The Copyright and Related Rights Act

10.3.16 identify the implications of media laws relating to copyright in the print media, in the music industry and with regard to pirate radio and tv / video / DVD production

10.3.17 understand Irish media law in the international context e.g. the effect of membership of the European Union, the Council of Europe etc.

Unit 4 Reporting in Court and on Industrial Relations Disputes

Learners should be able to:

10.4.1 identify and explain the functions and duties of the journalist in a court of law

10.4.2 define the roles of the Crime Correspondent and the Industrial Correspondent

10.4.3 understand the meaning of the terms - contempt of court and bona fide

10.4.4 distinguish between a civil and a criminal case

10.4.5 define the roles of the Minister for Justice and the Director of Public Prosecutions

10.4.6 understand the restrictions that exist prior to initiation of court proceedings and its effects on the right to a fair trial

10.4.7 explain the Criminal Justice Act, the Offences Against the State Act and The Offences Against the Person Act

10.4.8 distinguish between absolute privilege and statutory qualified privilege and the journalists claim to confidentiality of sources

10.4.9 understand the meanings of ‘fair comment on matters of public interest’, ‘apology and offer of amends, accord and satisfaction’

10.4.10 display a knowledge of the sub judice rule when reporting on a court case

10.4.11 understand the rules governing the protection of witnesses and children in court and the legal implications of unauthorised disclosure of information relating to children in care
10.4.12 define the functions of the Criminal Assets Bureau and the Understand the nature of public order offences

10.4.13 understand how journalists interpret and report on Tribunals of Inquiry

10.4.14 display a knowledge of the European Convention on Human Rights and any need for reform of it (roles of international organisations e.g. Amnesty International)

10.4.15 understand how journalists interpret and report on trade unions and industrial relations disputes by displaying a knowledge of employment law and the functions of the Labour Relations Commission, the Employment Appeals Tribunal and the Labour Court.

Unit 5 Reporting on Local and National Politics

Learners should be able to:

10.5.1 define the role of the political correspondent

10.5.2 recognise the legislative, executive and judicial powers of government

10.5.3 explain the functions of the Oireachtas (e.g. the President, Dáil Éireann and Seanad Éireann) and related legislation

10.5.4 understand the roles of the Taoiseach, TDs, MEPs, government advisors, standards in public office and related legal issues

10.5.5 explain the functions of the Minister of the Environment and Local government and related legal issues

10.5.6 recognise the difference between confidential data (a copyrighted submission or document) and public records and related legislation e.g. data protection and non disclosure provisions

10.5.7 display an awareness of journalists and electors legal entitlements to have access to public records (financial and non financial) in the context of data protection legislation

10.5.8 display an awareness of the legal aspects of reporting party conferences

10.5.9 explain media law in relation to the legal protection for statements connected with:
• local and national debates
• local and political meetings
e.g. qualified privilege, freedom of information etc.

10.5.10 understand the power that councils have under the Local Government Act (e.g. the ability to exclude the Press and public from meetings)

10.5.11 display a knowledge of codes of conduct that relate to councillors, employees, demonstrators, trade union representatives, spectators and politicians not involved in meetings

10.5.12 understand the legal entitlements and powers of the electorate and the electoral system

10.5.13 understand the politics of Northern Ireland and the implications of amendments made to the constitution e.g. the Good Friday Agreement

10.5.14 understand planning laws, appeals, exemptions and planning permission.

11 Portfolio of Assessment

Please refer to the glossary of assessment techniques and the note on assessment principles at the end of this module descriptor. All assessment is carried out in accordance with FETAC regulations. Assessment is devised by the internal assessor, with external moderation by FETAC.

Summary

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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Project</td>
<td>60%</td>
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<tr>
<td>Examination (Theory Based)</td>
<td>40%</td>
</tr>
</tbody>
</table>

11.1 Project

The internal assessor will devise a project brief that requires candidates to research and compile a case study of a Media organisation.

The evidence for the project will include:
• an outline of a wide range of day to day ethical dilemmas that can arise. The candidate should explore these dilemmas in detail and identify within what context that they arise.
  The candidate should specify live examples of current happenings within the organisation that give rise to ethical dilemmas.
• an exploration of media legislation within the organisation.
an evaluation of the impact of Media legislation on the day to day workings of the organisation e.g. the controls that media law exerts on the organisation’s managers, staff, customers / audiences or suppliers.

• an identification of the dilemmas that exist due to the existence of or absence of certain media legislation.

The project should be presented in a variety of media. Evidence can be submitted in audio, video, graphic, visual formats or a combination of these.

The project should be a minimum of 3000 words and a maximum of 5000 words.

Candidates should demonstrate the ability to understand and apply their knowledge of media ethics and media law in their area of specialisation.

11.2 Examination

The internal assessor will devise a theory-based examination assessing candidates’ ability to recall and apply media ethics and media law theory. They should display the ability to understand responses to structured / essay type questions. The questions can be answered in written or oral format or equivalent.

The examination should be based on a range of the specific learning outcomes from the specified units within the module and will be 3 hours in duration.

The format of the examination will be as follows:

• 5 structured / essay questions
  Candidates will be required to answer 4 questions (20 marks each)

12 Grading

Pass 50 - 64%
Merit 65 - 79%
Distinction 80 - 100%
## Individual Candidate Marking Sheet 1

### Ethical and Legal Issues in Media

**Project - 60%**

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Maximum Mark</th>
<th>Candidate Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Proposal and Research Preparation</td>
<td>6</td>
<td></td>
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<tr>
<td>Research Checklist of a wide range of ethical dilemmas inside and outside the media organisation’s control</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Research Checklist and exploration of suitable legislation applicable to the Media organisation being analysed</td>
<td>6</td>
<td></td>
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<tr>
<td>Suitable Questionnaire for research</td>
<td>6</td>
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<tr>
<td>Evaluation of the impact of Media Legislation on the day to day workings of the organisation</td>
<td>10</td>
<td></td>
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<tr>
<td>A range of Live examples of happenings giving rise to ethical dilemmas in the organisation</td>
<td>10</td>
<td></td>
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<tr>
<td>Dilemmas explored in detail and identification of the context Within which they are apparent</td>
<td>10</td>
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<tr>
<td>Layout and Presentation</td>
<td>6</td>
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</table>

**TOTAL MARKS**

This mark should be transferred to the Module Results Summary Sheet 60

**Internal Assessor’s Signature:** ___________________________ **Date:** __________

**External Authenticator’s Signature:** _______________________ **Date:** __________
<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Maximum Mark</th>
<th>Candidate Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Structured questions</strong></td>
<td></td>
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<tr>
<td>5 structured questions, answer any 4 (20 marks each) (Indicate questions answered)</td>
<td></td>
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<tr>
<td>Question No.:*</td>
<td>20</td>
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</table>

**TOTAL MARKS**

Marks 80/2  ____/2 = ___/2

*This mark should be transferred to the Module Results Summary Sheet*
# FETAC Module Results Summary Sheet

**Module Title:** Ethical and Legal Issues in Media  
**Module Code:** N32751

<table>
<thead>
<tr>
<th>Candidate Surname</th>
<th>Candidate Forename</th>
<th>Mark Sheet 1 (60)</th>
<th>Mark Sheet 2 (40)</th>
<th>Total 100%</th>
<th>Grade*</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

Signed:___________________________  
Internal Assessor: _______________  
Date: __________________________

This sheet is for internal assessors to record the overall marks of individual candidates. It should be retained in the centre. The marks awarded should be transferred to the official FETAC Module Results Sheet issued to centres before the visit of the external Authenticator.

Grade*  
D: 80 - 100%  
M: 65 - 79%  
P: 50 - 64%  
U: 0 - 49%  
W: candidates entered who did not present for assessment
Glossary of Assessment Techniques

**Assignment**

An exercise carried out in response to a brief with specific guidelines and usually of short duration.

Each assignment is based on a brief provided by the internal assessor. The brief includes specific guidelines for candidates. The assignment is carried out over a period of time specified by the internal assessor.

Assignments may be specified as an oral presentation, case study, observations, or have a detailed title such as audition piece, health fitness plan or vocational area profile.

**Collection of Work**

A collection and/or selection of pieces of work produced by candidates over a period of time that demonstrates the mastery of skills.

Using guidelines provided by the internal assessor, candidates compile a collection of their own work. The collection of work demonstrates evidence of a range of specific learning outcomes or skills. The evidence may be produced in a range of conditions, such as in the learning environment, in a role play exercise, or in real-life/work situations.

This body of work may be self-generated rather than carried out in response to a specific assignment e.g. art work, engineering work etc.

**Examination**

A means of assessing a candidate’s ability to recall and apply skills, knowledge and understanding within a set period of time (time constrained) and under clearly specified conditions.

Examinations may be:

- practical, assessing the mastery of specified practical skills demonstrated in a set period of time under restricted conditions
- oral, testing ability to speak effectively in the vernacular or other languages
- interview-style, assessing learning through verbal questioning, on one-to-one/group basis
- aural, testing listening and interpretation skills
- theory-based, assessing the candidate’s ability to recall and apply theory, requiring responses to a range of question types, such as objective, short answer, structured, essay. These questions may be answered in different media such as in writing, orally etc.

**Learner Record**

A self-reported record by an individual, in which he/she describes specific learning experiences, activities, responses, skills acquired.

Candidates compile a personal logbook/journal/diary/daily diary/record/laboratory notebook/sketch book. The logbook/journal/diary/daily diary/record/laboratory notebook/sketch book should cover specified aspects of the learner’s experience.
**Project**

_A substantial individual or group response to a brief with guidelines, usually carried out over a period of time._

Projects may involve:

- research – requiring individual/group investigation of a topic
- process – eg design, performance, production of an artefact/event

Projects will be based on a brief provided by the internal assessor or negotiated by the candidate with the internal assessor. The brief will include broad guidelines for the candidate. The work will be carried out over a specified period of time.

Projects may be undertaken as a group or collaborative project, however the individual contribution of each candidate must be clearly identified.

The project will enable the candidate to demonstrate: _some of these – about 2-4_

- understanding and application of concepts in (specify area)
- use/selection of relevant research/survey techniques, sources of information, referencing, bibliography
- ability to analyse, evaluate, draw conclusions, make recommendations
- understanding of process/planning implementation and review skills/planning and time management skills
- ability to implement/produce/make/construct/perform
- mastery of tools and techniques
- design/creativity/problem-solving/evaluation skills
- presentation/display skills
- team working/co-operation/participation skills.

**Skills Demonstration**

_Assessment of mastery of specified practical, organisational and/or interpersonal skills._

These skills are assessed at any time throughout the learning process by the internal assessor/another qualified person in the centre for whom the candidate undertakes relevant tasks.

The skills may be demonstrated in a range of conditions, such as in the learning environment, in a role-play exercise, or in a real-life/work situations.

The candidate may submit a written report/supporting documentation as part of the assessment.

Examples of skills: laboratory skills, computer skills, coaching skills, interpersonal skills.
FETAC Assessment Principles

1. Assessment is regarded as an integral part of the learning process.

2. All FETAC assessment is criterion referenced. Each assessment technique has **assessment criteria** which detail the range of marks to be awarded for specific standards of knowledge, skills and competence demonstrated by candidates.

3. The mode of assessment is generally local i.e. the assessment techniques are devised and implemented by internal assessors in centres.

4. Assessment techniques in FETAC modules are valid in that they test a range of appropriate learning outcomes.

5. The reliability of assessment techniques is facilitated by providing support for assessors.

6. Arising from an extensive consultation process, each FETAC module describes what is considered to be an optimum approach to assessment. When the necessary procedures are in place, it will be possible for assessors to use other forms of assessment, provided they are demonstrated to be valid and reliable.

7. To enable all learners to demonstrate that they have reached the required standard, candidate evidence may be submitted in written, oral, visual, multimedia or other format as appropriate to the learning outcomes.

8. Assessment of a number of modules may be integrated, provided the separate criteria for each module are met.

9. Group or team work may form part of the assessment of a module, provided each candidate’s achievement is separately assessed.