FEEDBACK TUTORIAL LETTER

2nd SEMESTER 2019

ASSIGNMENT 2

LEGAL AND ETHICAL ISSUES IN COMMUNICATION
(LEC721S)
Feedback for assignment 2

By Tunomukwathi Asino

The assignments were well written.

My apologies for the first assignment, when I was setting it up, the Study Guide was not complete, hence the pages are not the same in the Study Guide for the first assignment.

Some of you lost marks, for example when a question says name two and you only name one. While some of you lost marks because you did not answer all the questions.

All the best with the examinations. Always remember to follow the instructions, read them carefully and look at the amount of the marks. Some of you lost marks because the answers were very short or you did not follow instructions.

Below is what I was looking for.

ASSIGNMENT 2 MEMO

Assignment 2

Question 1

(a) Name and, in your own words, describe the functions of the four sources of Namibian law.

(b) Generate your own examples for each source, showing how each of the four sources of Namibian law contribute to the regulation of media and communication practice. (10 Marks)

In the Constitution of the Republic of Namibia,

Article 8(1) provides that all people are entitled to their dignity and good reputation. We should not say or write things that harm the reputation of another person, especially when the information is based on hearsay, and we cannot provide evidence to prove it.

Article 13 deals with the right to privacy. Nobody should interfere with the privacy of another person's home, correspondence or communications except in cases of national security, public safety, the economic well-being of the country, the protection of health or morals, the protection of the rights or freedoms of others, or the prevention of disorder or crime.

Article 21 stipulates that the right to freedom of speech and expression should be exercised subject to the laws of Namibia, in the interests of the sovereignty and integrity of Namibia; national security; public order; decency and morality; and in relation to contempt of court, defamation, or incitement to commit an offence.

Laws promulgated by Parliament (known as Statutes) which affect media and communication practice include the Communication Act (2008), under which the President can establish interception centres to monitor private communication in the interests of combating crime and maintaining national security. The Defence Act (2002), Prisons Act (1998), Criminal Procedure Act (1997), Petroleum Products and Energy Act (1990) are also laws that govern media and communication, as detailed in the answers to
Question 2. Students who cite these laws should fully explain how each governs media and communication practice.

Laws established by judicial precedent (and known as Case Law or Common Law) include contempt of court, where an article published or a video clip broadcast is found to have impinged on the dignity of the court.

Laws established by the traditional authorities of Namibia’s indigenous communities, e.g. limiting access to initiation or rites of passage ceremonies.

Question 2

Read the Unit on Law, then name and explain two examples of the Litigation process. Please provide two examples of each Litigation process. (15 marks)

Criminal Litigation and Civil Litigation. Students should also provide two examples of criminal cases and two examples of civil cases.

Two examples of Criminal Litigation: A man and a woman appeared in the Rundu Magistrate’s Court facing a charge of theft for allegedly stealing N$1.5 million.

A man appeared in the Keetmanshoop Magistrate’s Court for allegedly beating his wife.

Two examples of a Civil cases. Member of parliament Jerry Ekandjo is demanding N$200 000 form the Windhoek Observer, he is claiming that the newspaper defamed him by writing lies about him.

Governor of Omusati is suing New Era newspaper for allege libel comments made by the newspaper, she is demanding N$300 000.

Question 3

Read the Unit on Laws and discuss two Laws that may affect your work as a Communications Professional.. (10 Marks)

Students should discuss any of the following Laws:

The Constitution of the Republic of Namibia - In the Constitution of the Republic of Namibia, Article 8(1) provides that all people are entitled to their dignity and good reputation. We should not say or write things that harm the reputation of another person, especially when the information is based on hearsay, and we cannot provide evidence to prove it.

Article 13 deals with the right to privacy. Nobody should interfere with the privacy of another person's home, correspondence or communications except in cases of national security, public safety, the economic well-being of the country, the protection of health or morals, the protection of the rights or freedoms of others, or the prevention of disorder or crime.

Communications Act, Act 8 of 2009. – The Namibia Communications Act, and the draft Electronic Transactions and Cybercrime Bill 9(revised in 2017), but not yet passed into law by parliament) empower government agencies - notably the Namibia Central Intelligence Service (NCIS), and the Communication Regulatory Authority of Namibia (CRAN) to access without notification private computer systems.

*Here students lost marks for simply stating International law.*
Question 4

Read the unit on defamation. The explain what you understand about defamation. Provide two forms of defamation. In addition, provide two examples of defamation suits from the Namibian media (Please cite your sources) (15 Marks)

Students should define defamation and provide two forms of defamation, which are libel and slander. Examples of defamation cases from Namibian media and citing the newspapers where you got them from.

Here students lost marks when they did not provide two examples. One example from libel and another from slander was fine.