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Centre for Open and Lifelong Learning

FEEDBACK TUTORIAL LETTER

2ND SEMESTER 2020

ASSIGNMENT 2

**LEGAL AND ETHICAL ISSUES IN COMMUNICATION
(LEC721S)**

Assignment 2 Feedback

LEC 721 S

The assignments were well written.

Again some of you lost marks because there was no reference page, but sources and other did not cite. Also you should site, but please add examples to show that you understand. Those questions are examples of questions that appear in the examination.

Some of you did well in the first assignment so this one was rushed, you simply gave one or two sentences while the question was worth 10 or 15 marks.

While question 3 said provide 4 examples for each and this was not done, hence some of you lost marks.

Please make sure that you download or get the Study Guide. Some of you lost marks because you googled answers and the answers you got were not related to the questions. The answers were in the Study Guide.

All the best on the examinations! Below is what I was looking for.

Question 1 [25 Marks]

(a) Explain what you understand by defamation [5 Marks]

(b) Apply your understanding of Defamation to any example of an offensive message posted on a WhatsApp group, and explain why that message may be regarded as defamatory. [5 Marks]

(c) Imagine a scenario where a Facebook campaign which you started to shame litterbugs (people who throw rubbish everywhere) in the city centre results in a defamation lawsuit against you for a photograph you published of a bank outside which beer cans, mealie cobs, used fast food wrappers and boxes, and other litter were strewn across the pavement. The bank claims it was not responsible for the mess, and had been unfairly tarnished by your Facebook post. How would you defend yourself against the defamation by association claim? [15 Marks]

- (i) *Defamation is a form of censorship. It can take the form of either Libel or Slander. Defamation law constrains us from words printed in news stories, editorials, letters to the editor or press releases; headlines of newspapers, magazines, news straplines in electronic media (e.g. NBC); advertisements that claim their competitor provides poor service; and photographs or cartoons used out of context (false light, misappropriation) which may be regarded as Libel. It also constrains us from words spoken at a gathering, a press conference, a live or recorded broadcast, audio feeds on WhatsApp or on the internet, may be regarded as Slander.*

Question2 [10 Marks]

Read the Unit on Copyright, Innovation Protection, and Criminal and Civil Litigation

You are an editor of a newspaper. You need photographs for your story. The journalist assigned to the story did not take any photos, so you search for photographs but they all have watermarks written on

them, indicating that they are copyright protected and require the explicit permission of the copyright owners before they can be reproduced and published in your newspaper. Explain what will you do.

Photographs will have water marks if they are copyrighted. Photographs from institutions such as the Namibian Press Agency (NAMPA), Reuters and Associated Press (AP) will have water marks. You need to subscribe to these agencies by paying a fee to use the photos. You cannot use them without permission.

Question 3 [15 Marks]

Read the Unit on Copyright, Innovation Protection, and Criminal and Civil Litigation

Identify two examples of litigation processes and explain them.

Provide four examples of each litigation processes from Namibian media, citations should be provided. (For each example you should indicated the name of the newspaper, the month and year in which they were published).

Students should prove examples of criminal and civil cases. E.g A man was sentenced for theft (Criminal). The Namibian was sued for libel.

Under criminal litigation, the Government punishes individuals who commit illegal acts such as murder.

Civil litigation involves disputes between parties.

Minister of Defence sues New Era for character assassination.

Vice Chancellor sues The Namibian for defamation.