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Teaching Media Law to Journalism Students: Different Needs, Different Strategies

*Mark Pearson**

Introduction

Almost all tertiary journalism courses offer media law components in their curricula. It is expected by both educators and the profession that all graduates should have an understanding of pertinent areas of the law, including defamation, confidentiality, contempt and privacy. However, courses vary in the quantity of legal education in their curricula and in their pedagogical approaches. For example, while some courses cover a bare minimum, others endeavour to give students a considerable understanding of legal research methods and an advanced knowledge of the legal system. Some extend the curriculum to cover areas of the law which might only be of peripheral interest to journalists (for example, contract and Trade Practices legislation) and explore ways journalists might use the law to enhance their reporting (such as the use of Freedom of Information legislation or corporations law). This paper considers the issue of media law education for journalism students in tertiary institutions and suggests journalism students require a different legal curriculum and pedagogy from that offered to law students. Its purpose is to question the foundations of legal instruction to journalism students and to foreshadow an alternative approach which better develops legal competences for the journalism enterprise.

*Media law is usually taught by either lawyers based in law faculties, former journalists with legal qualifications who visit as guest or part-time instructors, or by journalism staff who have some legal interest or qualification. Media law texts and readings usually emanate from a strictly legal source (for example, Sally Walker's *Law of**

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*Journalism in Australia*¹). When it is taught by lawyers or journalism staff with a legal background it is often approached as if it were another law subject for law students, with professors becoming disenchanted with journalism students' lack of familiarity with the "legal way of thinking" and their ignorance of the legal system and its operations. The temptation is to cover complex legal concepts all too quickly, sometimes in a single semester, as if the students could get their "quick fix" in media law and thus be equipped with the skills and understandings necessary to deal with legal issues as working journalists. Students might leave with some knowledge of pitfalls in the law for journalists but little understanding of how to deal with them.

Take, for example, the complex area of defamation law and assume the course allows a single media law subject in the degree. Defamation is such an important area of the law affecting journalists that it would be reasonable to expect an instructor to allocate it a substantial portion of the subject. The law professor is then faced with the daunting task of condensing into a few weeks content which might take a full two torts subjects in a law degree – and teaching it to students who may not have been instructed in the workings of the legal system, legal methods of research or case appraisal and citation. The professor might well choose to give a potent version of the larger course, perhaps selecting the key concepts and addressing a major case to illustrate each. However, the instructor could hardly state confidently that the students have left the course with a deep enough understanding of media law to be able to deal with actual scenarios in the news room.

Of course, some programs offer the luxury of a number of subjects devoted to media law. However, also common is the packaging of media law and ethics in a single subject, leaving the legal areas even less scope for development. Taken to its extreme, with media law given its highest possible priority, journalism programs might only enrol law graduates, allowing professors the luxury of teaching only advanced media law concepts to postgraduate law students. But even this far-fetched scenario would have its own problems and leaves the key issue unaddressed: How can the time spent on media law be best exploited to equip journalism students with the greatest working understanding of the law?

1 S Walker, *The Law of Journalism in Australia* (Sydney: Law Book Company, 1989).

Legal education for lawyers has undergone a number of transitions in recent decades, chronicled in journals like this one. Scholars have debated the relative merits of the case method,² the problem method,³ legal clinics⁴ and Socratic instruction⁵ for equipping law students for legal careers. Each of the major methods of legal education has both advantages and disadvantages for imparting skills and understandings to future lawyers. It is useful to consider the key competences the legal profession has identified as important. For example, a 1990 survey of Queensland lawyers by de Groot came up with the following 11 key competences of the practising lawyer:

- knowledge of substantive law,
- professional attitude,
- ability to identify legal issues raised by a fact situation,
- ability to give clients practical advice,
- commitment to timely communications with client,
- knowledge of legal practice and procedure,
- knowledge of professional and ethical standards,
- care for well-being of clients,
- commitment to staying up to date (with changes in the law),
- ability to make decisions,
- diligence and perseverance with work.⁶

Law schools and the profession may well debate the extent to which tertiary legal education should be responsible for instilling all of these competences. In fact, de Groot's article was followed by two others considering the relative roles of university and continuing education in addressing these needs.⁷

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- 2 For example, W Twining, "Pericles and the Plumber" (1967) 83 *Law Quarterly Review* 406.
- 3 For example, GL Ogden, The Problem Method in Legal Education (1984) 34 *Journal of Legal Education* 655.
- 4 For example, AB LaFrance, Clinical Education and the Year 2010 (1987) 37 *Journal of Legal Education* 357.
- 5 For example, P Kober, The Socratic Method on Trial: Are Law Schools a Failure? (1980) 26 *Case and Comment* 27, cited in K Carter & R Unklesbay, Cases in Teaching and Law (1989) 21 *J of Curriculum Studies* 536.
- 6 JK de Groot, Lawyer Competence (1990) 20 *Queensland Law Soc J* 273. See also FK Zemans & VG Rosenblum, *Preparation for the Practice of Law — the Views of the Practising Bar* (Chicago: American Bar Foundation, 1980.)
- 7 DG Gardiner, Lawyer Competence — the Role of the Law School (1990) 20 *Queensland Law Soc J* 349-359; L Taylor, Continuing Legal Education in the Context of Lawyer Competency (1990) 20 *Queensland Law Soc J* 461.

Adaptations of Legal Education for Management and Teacher Education

Surely the key issue facing those involved in educating non-legal professionals is the extent to which curricula and pedagogies designed to impart such competences should apply in their own courses. Clearly, very few of the competences listed above would be necessary outcomes for the law component of such courses: non-legal professionals have other needs and a different agenda. They do not need to equip their students for legal practice. Rather, they need to prepare them for legally related situations students might face in their own careers.

The only competence identified by the Queensland lawyers which would apply universally to non-legal professionals would be the ability to identify legal issues raised by a fact situation. (Depending on the occupation, a knowledge of substantive law and a knowledge of legal practice and procedure may also be relevant. Other issues such as ethics and communication skills would most likely be dealt with in the non-legal courses proper rather than in their legal component.) Rather than having to advise upon and solve a range of legal problems, most non-legal professionals need only learn a narrow range of legal principles which will allow them to practise their professions within the bounds of the law.

Before considering the issues inherent in teaching law to journalism students, it is valuable to consider the ways other non-legal professionals have taught law to their students. A useful example is the teaching of law as part of business administration courses. Cartan and Vilkinas have been critical of the use of traditional techniques in teaching law in such courses.⁸ They note that the traditional method of teaching law in law schools rewarding the retention of knowledge of rules and cases has dominated business law courses in management programs.⁹ As an alternative, they suggest a specially tailored legal curriculum for MBA courses, "which presents the law in the context of the manager's world, presents legal subject matter relevant to the manager and presents it in such manner that its true spirit is captured".¹⁰

8 G Cartan & T Vilkinas, *Legal Literacy for Managers: The Role of the Educator* 24 *The Law Teacher* 246-257.

9 Cartan & Vilkinas *id* at 248.

10 *Id* at 249.

They go on to propose a means of integrating two previously separate bodies of knowledge – law and management. Cartan and Vilkinas suggest that law and legal issues need to be built into a framework based on the key relationships in which managers are engaged.¹¹ They explain:

As a consequence of this approach managers are confronted not with traditional legal subject labels but instead with the legal rules and principles which govern their major interactions with others. Indeed, the law is presented in the context of those relationships. The student manager is given the opportunity to appreciate the law as it affects identified business relationships, rather than through the traditional legal subject based taxonomy.¹²

For example, the manager-customer relationship might involve the coverage of the following legal topics: sale of goods, contracts, product liability, advertising, consumer protection, warranties, anti-discrimination and negligence.¹³

In teacher education, researchers have suggested applying legal education techniques to their own work. For example, Carter and Unklesbay explore the use of the case method in law and seek out ways of applying it in teacher education. They conclude that, while the method has demonstrable problems in the teaching of law, there would seem to be benefits in developing a log of cases in teaching for use in teacher education.¹⁴ These would not be “legal cases” as such, but “teaching cases” representing a record of the application of educational strategies and techniques and interpretation of their effectiveness.¹⁵ Caulley and Dowdy go so far as to suggest a replication of the format of a legal case history for use in teacher education. Teacher evaluators could format their written evaluations in much the same way as a judge, featuring case name, summary, headnotes and evaluator’s opinion, all in a systematic form able to be catalogued and referenced for later use.¹⁶ This may have applications for journalism education which will be explored below.

11 *Id* at 251.

12 *Id* at 253.

13 *Id* at 252.

14 Carter & Unklesbay *supra* note 5 at 528.

15 Carter & Unklesbay *supra* note 5 at 532.

16 DN Caulley & I Dowdy, Legal Education as a Model for the Education of Evaluators (1986) 8 *Educ Evaluation and Policy Analysis* 70, at 535.

Media Law for Journalists: Background

Little has been written about the specific pedagogical foundations of teaching media law to journalism students. A hint at the positioning of law in the US curriculum can be found in the document outlining accrediting standards published by the Accrediting Council on Education in Journalism and Mass Communications. After stating that theoretical instruction and practical laboratory experiences should be provided in the basic skills and writing, reporting, editing, visual communication, layout and design, the document makes its only mention of law in the curriculum:

Whatever the specialisation, the skills work should be offered in a context of philosophical instruction in such areas as history, law, ethics, and mass communications theory.¹⁷

Thus, media law is positioned as a field of theoretical, philosophical instruction as distinct from an actual journalistic skill demanding on-the-job decision making prowess.

The only broad attempt at discussing approaches to media law in journalism courses appeared in an issue of the US journal *Journalism Educator* featuring a special section on methods of teaching freedom of expression.¹⁸ It included Steven Helle's plea to inject a framework of libertarian and neoliberal theories as a backdrop to communications law courses, giving a context and a cohesiveness to discussion of cases.¹⁹ Implicit in Helle's argument was the notion that journalism students should be equipped with skills to enable them to become advocates for press freedom, "so that they can articulate positions and defend them in a principled manner".²⁰ This goal may well be justifiable as a desirable competence for journalism graduates that may not be shared by lawyers or approached in the same way by legal educators.

17 Accrediting Council on Education in Journalism and Mass Communications, *Accredited Journalism and Mass Communications Education 1993-1994*, (University of South Carolina, Columbia: Association for Education in Journalism and Mass Communication, 1993) at 17-18.

18 (1991) 46 *Journalism Educator*, Bill of Rights Bicentennial Issue 4-45.

19 S Helle, A Theoretical Framework for Media Law Courses (1991) 46 *Journalism Educator* 4-14.

20 Helle *id* at 4.

Another innovative approach to adapting legal subject matter to journalism students' needs was Anna R Paddon's account of the way the law of intellectual property was built into a unit for magazine classes looking at parody as a case study in free expression.²¹ The unit was introduced with the aims of developing an understanding of copyright and trademark infringement and increasing awareness of the use of graphics and design that make parody work.²² Crucial to Paddon's approach was that she moved from the genre (college humour magazines) to the law of intellectual property (readings and cases). Thus, students journeyed from quite humorous and fascinating examples to actual cases contested over their contents to develop a set of guidelines for those who wish to use parody as a technique in publishing.²³ In other words, rather than Paddon saying to her students: "This is the law of copyright and trademark infringement and how it restricts parodies", she said: "Here are some parodies. Let's see how they are allowed to happen within the protections of free speech allowed by the First Amendment." The difference is that the approach is driven by the journalism practice rather than the legal restriction. Students learn to practise their craft to the limit of the available legal boundaries rather than learning the restrictions disengaged from the practice.

More recently, Lipschultz²⁴ called for a competence-based "active learning" approach to teaching media law to journalism students, moving beyond the traditional approach which has involved giving students a series of test questions for research and class discussion.

The real test for our students begins when they leave our classrooms and apply the knowledge in their fields. Active learning treats the classroom examination as just one way to show mastery of work. I invite division members to share approaches to the teaching of media law, especially those that can be seen as "non-traditional" in terms of methodology. While readings and examinations covering important media law cases will no doubt remain central to our work with students, it seems apparent that a learn-

21 AR Paddon, Parody as Free Expression: A Unit for Magazine Classes (1991) 46 *Journalism Educator* 42-45.

22 Paddon *id* at 42.

23 *Id* at 44.

24 JH Lipschultz, Toward a Literature of Media Law Teaching (1994) 21 *Media Law Notes* 15.

ing-oriented set of goals will drive media law professors to do much more.²⁵

In Australia, there is a dearth of literature on the topic. An article by this writer addressed common issues and challenges faced by educators in both journalism and law.²⁶ The article demonstrated that the careers shared much, including the fact that they were preparing students for professional practice, they were positioned as professional departments or faculties within universities, they attracted students with similar profiles, their professional bodies perceived their roles in similar ways, they had common elements to their curricula, and there was an ongoing pedagogical debate in both fields over the theory/practice divide. However, the article did not take up the similarities and differences in the approaches to teaching law in law schools and journalism schools.

A rare occasion on which issues in media law were discussed in Australia was at the annual general meeting of the Journalism Education Association at Newcastle in 1992. There, members participating in a workshop produced a list of competences journalism graduates should have upon leaving a tertiary journalism program. The resulting document contained understandings of a range of legal content areas as well as three abilities, including the ability to write court reports; to deal with superiors or lawyers on legal issues and to keep diary notes on the developing legal problem; and "a working ability to recognise legally dubious material/situations".²⁷ Thus, the membership shared Lipschultz's concern that media law education for journalists should go beyond a merely substantive knowledge of case law and provide skills for working journalists in newsrooms.

Discussion: Focus on Competences

The more one examines the teaching of law to journalists, the more one observes that problematic legal pedagogies and curricula are being force-fitted to a field for which they were never designed. While case law and the doctrine of prece-

25 Lipschultz *id* at 15.

26 M Pearson, Education for Journalism and for Law: Common Issues and Challenges (1991) 13 *Australian Journalism Review* 105-114.

27 Journalism Education Association, *Skills and Understandings and How You Teach Them* (brochure circulated to members), October 15, 1993.

dent may help lawyers to develop and catalogue the body of case law, in many ways they work against the teaching of journalism law. To the lawyer, an 1893 case might be more important than a 1994 case because a crucial principle of law was established by a superior court. Lawyers are trained to focus less on the facts of a case than on its substantive points of law. But to the journalism student the recent case, although perhaps unreported, may be far more relevant because the journalism fact scenario is much easier to grasp and the case may illustrate a certain type of journalistic behaviour which might, if avoided, have rendered the case unactionable.

For example, a 1992 Queensland defamation case remains unreported,²⁸ although at the time it attracted considerable media attention because during the trial a journalist was jailed for contempt for refusing to reveal a confidential source. While that alone would be instructive for journalism students, another aspect of the case serves to demonstrate the required standards of reporting practice. The publisher's defence required evidence that the reporter had acted in good faith. The judge suggested, obiter, that the reporter should have tried harder to contact the source to obtain his response to certain allegations, even to the extent of sending the allegations to the defendant by facsimile message before publication. While such a comment might be of only passing interest to a lawyer, it strikes at the heart of journalism research practice.

Law text books and lawyers are so bound up in the doctrine of precedent that it dominates the legal culture — and, inevitably, the teaching of law. For the journalism student, out of court settlements demonstrate that other political and economic factors can play a deciding role in a court case. For example, one Australian suburban newspaper settled out of court on advice that the reporter's notes would not stand up in court. A more efficient method of note-taking and filing of note books might have rendered the journalist's notes more valuable as evidence that a source actually spoke the alleged words. This might be the real lesson of the case to journalists, if they could only find out about it. As an unreported out of court settlement it would not come to the attention of the legal educator but it would be undoubtedly more relevant and vivid an example than many a reported case.

28 *Copley v. Queensland Newspapers*, Supreme Ct of Qld, no. 3107 of 1989, March 20, 1992, unreported.

There are several narrowly focussed skills and understandings which journalists and their employers would deem essential for graduates, such as: publishing to the limits of defamation laws, reporting sub judice matters without incurring contempt charges and knowing the point at which information becomes confidential. Each of these may form part of the curriculum for law students in a law school, but none is crucial to the daily work of a law graduate (in fact, each represents a highly specialised area of law). Yet each is vital to the working journalist.

The answer lies in identifying legal competences required of journalists and developing curricula and pedagogies to ensure the students develop them. These might be specially designed strategies, adaptations of existing legal education methods or applications of some of the techniques being developed for other non-legal professionals. For example, if the format of legal case reports can be adapted for the education of teachers as outlined above, a body of "journalism cases" could be developed which evaluate how particular journalists have encountered and handled legally hazardous situations. The substance of such cases could come from interviews with journalists, their editors or lawyers or by extracting the journalistic elements of reported legal cases. Each case would need to target a particular learning outcome, which in turn would need to address a competence the educator is aiming to develop in the student.

Stark et al. identify a number of categories for professional competences which they find apply across professional disciplines, despite the lack of interdisciplinary communication of educational concerns and practices.²⁹ They identify six types of competence: conceptual, technical, integrative, contextual, adaptive and interpersonal. It is useful to consider their definitions of these categories and the ways they might help frame our examination of media law in journalism courses.

The following is an explanation of how Stark et. al. define the six competences and an appraisal of how each might be applied to legal education for journalists as distinct from legal education for lawyers:

29 JS Stark, MA Lowther, BMK Hagerty & C Orczyk, A Conceptual Framework for the Study of Preservice Professional Programs in Colleges and Universities (1986) 57 *J. of Higher Educ* 244.

- **Conceptual competence:** an understanding of the knowledge upon which professional practice is based. (For example, a dentist understanding the biological basis of tooth decay.)³⁰ Here, while lawyers might need a broad understanding of law across a range of areas, journalists need only a small proportion of such knowledge: that which they are likely to encounter in professional practice. This will need to include a history of legal developments, cases and statutes.
- **Technical competence:** ability to perform fundamental skills required of the professional. (For example, a dentist knowing how to operate equipment and fill teeth.)³¹ The skills lawyers are required to be able to perform might accord with the competences identified by Queensland lawyers and listed above. The technical competence journalists might require might be limited to the identification of "danger zones" in journalism law: journalistic situations where special care or legal advice is needed. (For example, reporting a court case or entering into an understanding of confidentiality with a source.)
- **Integrative competence:** ability to identify foundational knowledge and combine it with technical skills to perform effectively in given circumstances; that is, combine theory with practice. (For example, a teacher selecting learning strategies to fit the needs of a particular child and designing teaching materials to suit those strategies.)³² For lawyers, this might mean drawing upon a knowledge of the law to offer a range of options to a client in a given situation. For journalists, it could mean the development of a range of journalistic options for dealing with a given legal dilemma. (For example, integrating journalistic know-how with legal knowledge to ensure a sustainable defence to defamation by covering all bases in research and writing.)
- **Contextual competence:** an understanding of the broad social, economic, and cultural setting in which the profession is practised. (For example, through studies of sociology and psychology the nurse understands the background of a patient.)³³ Lawyers might be able to demonstrate a broad understanding of jurisprudence. This might be the place for journalists to demonstrate an understanding of the theoretic-

30 Stark et al *id* at 244.

31 *Id* at 245.

32 *Id* at 245.

33 *Id* at 246.

cal traditions of free speech and the public's right to information, as suggested by Helle.³⁴

- Adaptive competence: the ability to adjust to new conditions inherent in a rapidly changing technological society. (For example, a dentist examines new synthetic materials available for prosthetic work and introduces them into practice.)³⁵ Changing technologies and social conditions will affect journalists and lawyers in different ways. Thus, the increasing congestion and expense of the court system has forced lawyers to explore alternative methods of dispute resolution. Journalists need to learn to adapt their reporting techniques to cover these alternative ways of resolving disputes and learn the legal consequences of such reportage.
- Interpersonal communication: ability to communicate one's ideas effectively to others through a variety of symbolic means.³⁶ (Stark et al give no examples for this, but one might consider the doctor being able to communicate to a patient the diagnosis and prognosis of a particular illness.) Lawyers might need to learn how to communicate complicated areas of law and legal options to their clients. Journalists might need to learn how to communicate with lawyers when being advised and might also need to learn how to report complex legal cases for the lay reader.

It is clear that Stark's identified competences may well have areas of difference when applied to the study of law for lawyers and journalists. What remains to be discussed are the pedagogical implications of such differences.

Legal educators themselves are divided over the most suitable teaching methodologies for preparing people for careers in law. Journalism educators, having different educational objectives, need to take a fresh look at the required outcomes and the methods used to achieve them. Certainly, there will be several possible pedagogical approaches to achieving each of Stark's six listed competences. It seems that the best way to achieve Stark's competences in the area of media law is to develop combinations of existing legal educational methods with innovations by educators of non-legal professionals such as Cartan and Vilkinas³⁷ relation-

34 Helle, *supra* note 19 at 4.

35 Stark et al, *supra* note 29 at 247.

36 Stark et al, *supra* note 29 at 247.

37 *Supra* note 8 at 247.

ship framework, Caulley and Dowdy's³⁸ teaching cases (adapted to be "journalism cases" showing how particular journalists have dealt with a legal scenario), Paddon's³⁹ practice-driven approach and Helle's⁴⁰ theory-based orientation. This allows for the pedagogy to be driven by the desired learning outcome rather than allowing it to dictate the educational terms.

Taking the example of defamation law, the competences and pedagogical approaches might be addressed as follows:

- Conceptual competence: an understanding of the foundations of defamation law. Possible approaches: Use appellate cases, unreported cases, out of court settlements, unlitigated examples (perhaps framed as "journalism cases"), statutes, text readings and audio-visual materials to background the development of defamation law as it affects journalists. Content would deal with both the legal foundations and the journalistic pragmatics of defamation: libel insurance, issuing of writs, quantum of damages awarded and out of court settlement figures.
- Technical competence: ability to identify defamatory material in a work of journalism. Possible approaches: problem-based approach using hypothetical fact scenarios (perhaps with computers); analysis of actual stories/footage which prompted real actions; "planted" defamation material in stories requiring editing in a clinical learning environment (news room laboratory) with appropriate evaluation; practice-driven approach requiring editing of defamatory story.
- Integrative competence: ability to identify potential defamatory material and adjust reportage to ensure a defence. Possible approaches: problem-based approach using hypothetical fact scenarios (perhaps with computers); "planted" defamation material in material for editing in a news room laboratory with appropriate evaluation; relationship framework viewing the potential defamation in terms of the journalist-source and journalist-editor dynamics; practice-driven approach requiring editing.
- Contextual competence: understanding of social and political setting in which defamation laws operate and develop. Possible approaches: Helle-style theory-based approach drawing

38 *Supra* note 16 at 535.

39 *Supra* note 21 at 42.

40 *Supra* note 19 at 4.

on traditions of free speech; case method for examples of appellate judges articulating social foundations of this area of law (balancing of rights etc.); use of other materials (speeches, articles, editorials, reform papers, parliamentary debates etc) to give legal and non-legal perspectives on issues; debates/moots; practice-driven approach writing editorials/columns on the issues; relationship framework approach exploring journalist-politician dynamics with regards to free speech debate.

- Adaptive competence: ability to adjust to new conditions such as dealing with defamation in a new medium (for instance, a multi-media news service) or across new borders. Possible approaches: problem-based method encouraging investigation and solutions; clinical method (introducing each scenario as a proposed new venture in a laboratory news room and requesting editor's report); essay topic; practice-driven topic for news feature or documentary; case method to the extent that similar fact scenarios may have arisen in past (for example, the introduction of television and effect on defamation; international defamation law cases.)
- Interpersonal communication: ability to communicate effectively with a lawyer when faced with a defamation writ. Approaches: clinical method in news room laboratory (perhaps video recorded interviews between student and lawyer and discussion of each party's recollection of meaning); relationship framework – the journalist and the lawyer, the editor and the source; problem-based method exploring the interpersonal dynamics of the scenario.

Using such techniques, the defamation topic becomes as much a lesson in journalism as in law, encouraging the development of journalistic solutions to legal dilemmas. The options can be expanded or contracted according to the topic at hand, the teaching style of the educator and the learning styles of the students. Some topics lend themselves to a journalistic rather than a legal categorisation. For example, in law courses the tort of breach of confidence is usually dealt with as an area quite distinct from contempt of court – a domain of law which is not easily categorised as it contains elements of evidence and procedure. However, the University of Wollongong has taken a novel approach by dealing with both breach of confidence and the refusal to reveal sources in court (disobedience contempt) in the one topic area of a distance education course being broadcast on Australian national

television.⁴¹ Instead of dealing with the tort and the contempt in different segments of the course (as is the approach of many texts), the Wollongong team has titled the whole topic "Journalists and Secrets". Students are first introduced to the concept of secrets and are shown the legal consequences of unnecessarily revealing confidential information (breach of confidence). They are then introduced to the converse situation: how contempt laws are so strict that the courts can override such confidential relationships to insist that journalists reveal a source to a court where a judge sees it as necessary in the interests of justice. In its own way, this approach incorporates elements of both Helle's theory-based approach and Cartan and Vilkinas' relationship framework.

Conclusion

Not all areas of media law lend themselves readily to such alternative approaches and categorisations. But all can be enhanced by considering Stark's six competences and how they might best be developed using combinations of available methods. The examples illustrate that if the focus is on learning outcomes media law can be taught to journalism students in such a way as to make the material both stimulating and beneficial to their future careers. Authors of texts in media law might also make themselves more amenable to alternative approaches to the presentation of such concepts. Traditional approaches to legal education certainly deserve consideration when planning media law courses and materials for journalists, but they should inform rather than dictate the educational agenda. Non-legal professionals such as journalists deserve curricular and pedagogical solutions catering to their own career needs rather than having those of lawyers foisted upon them.

41 Graduate School of Journalism, University of Wollongong, JOUR 955 *Journalism and the Law* (University of Wollongong/SBS: television series on SBS for PAGE consortium, 1994).