

**A2.a What are the Legal and ethical considerations for scriptwriters in the media industry?**





## Legal

Media producers have to take in to consideration a wide range of **rules** and **standards** of **professional practice** in order to stay within the **law** and meet the **expectations** of **regulators**, **audiences** and **employers**.

Some rules apply to all areas of the media industries.

Others are sector specific, relating to one particular medium, be it- film, television, audio, print or digital.



## Ethical

Media producers are in a very powerful position and the way in which they represent people in their products can easily influence the views of their audience.

Media producers must try and avoid reinforcing stereotypes.



# Legal

# Copyright

I'm sure you are all familiar with the © symbol. But what does it mean?

If you wanted to adapt a book into a film you would need to establish who owns the copyright of the book.

Is it the **Author** or the author's **estate**? Is it **available to purchase** or in the **public domain**.

# Copyright cont.

The most important thing you must do as a writer is to protect *yourself* and your *work*. The issues regarding copyright and registration are very complex and change from country to country and there is so much advice out there it does get a little confusing.

## How do I copyright my own original work?

In Britain copyright is automatic; as soon as a work is 'realised' in actual form - such as writing it down. This means you don't actually have to do anything other than write down your ideas to gain copyright.



<https://www.gov.uk/copyright/overview>



# Intellectual copyright

The term **public domain** refers to materials with expired copyright. These materials are sometimes called intellectual copyright (or intellectual property), aren't owned or controlled by anyone. Screenwriters can therefore adapt those stories in any way they see fit, without fear of legal issues.

If you are simply inspired by an idea or plot point from an original work, you may not need rights at all. Ideas are not copyrightable, nor are individual events. Although you do need to be aware of Plagiarism...!

Charles Dickens




Jane Austen

Writers' work that is in the **Public Domain**



# Plagiarism

## plagiarism

*/ˈpleɪdʒərɪz(ə)m/* 

*noun*

the practice of taking someone else's work or ideas and passing them off as one's own.

"there were accusations of plagiarism"

*synonyms:* copying, infringement of copyright, piracy, theft, stealing, poaching, appropriation;

*informal* cribbing

"there were accusations of plagiarism"

# Watershed

The watershed is the time when TV programmes, which might be unsuitable for children, can be broadcast.

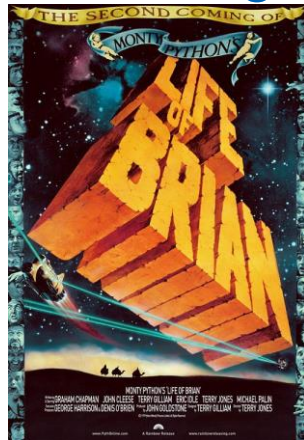
There are strict rules about what can be shown on UK TV before the 9pm watershed (pre-watershed). After 9pm is referred to as post-watershed.



# Blasphemy and obscenity

Blasphemy is the act of speaking sacrilegiously about God or sacred things.

While the UK laws are now less stricter regarding blasphemy, it is certainly something filmmakers and scriptwriters have to consider and be aware of regarding audiences and religious groups.



Likewise, with **obscenity**, writers have to consider their audience and what they might feel is inappropriate regarding behaviour, images or language represented in film content.



# Defamation, Libel and Slander

**Defamation** is an area of law that provides a civil remedy when someone's words end up causing harm to a reputation or livelihood.

**Libel** is a *written* or published defamatory statement, while **slander** is defamation that is *spoken*.

Most media products go through rigorous legal measures, well before release or broadcast.



# Ethical

# Taste, decency and offensive content

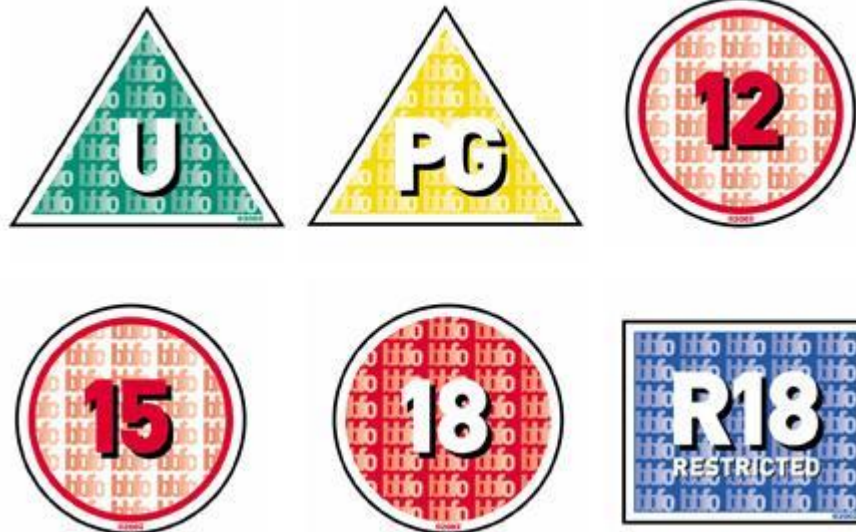


Ofcom (the regulator of broadcast content- TV and Radio) states that- transmissions should not include anything which offends against good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling. The BBC has its own policy on this and relates back to the Watershed.



# Censorship

The **British Board of Film Classification (BBFC)**, is a **non-governmental organisation**, funded by the film industry responsible for the classification of films and DVD / Blu Ray releases. Nowadays, it is very rare for the BBFC to ban (or censor) a release, preferring to make 'suggested changes' if a production company is not happy with the certification.



# Representation of events or individuals

When we watch a film it is important to remember that the images shown of *a place, a time, a social group* or of *a person*, are all carefully selected and organised (by the **writer**, director, producer) in order to communicate meaning(s) and to create a response from the audience.

A writer should aim to write truthfully, without prejudice and be aware of reinforcing negative stereotypes.



*Hillsborough* (1996)



*Walk the Line* (2005)



*Benefits Street* (2014)



**Copyright**

**Intellectual  
copyright**

**Plagiarism**

**Watershed**

**Blasphemy  
and obscenity**

**Defamation, Libel  
and Slander**

**Taste and decency**

**Censorship**

**Representation of events  
or individuals**