



Course Outline

Code: LAW415 **Title: Sports Law**

Faculty:	Arts, Business and Law
School:	USC Law School
Teaching Session:	Semester 2
Year:	2018
Course Coordinator:	Simone Pearce
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Course Moderator:	Associate Professor Kelley Burton
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Please go to the USC website for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?

1.1 Course description

Sports Law concerns legal issues arising out of sporting activity. It examines the relevance and application of various legal rules to the ownership, management, conduct, promotion, broadcast and the activities of participants in professional and amateur sport. You will consider a range of laws as they apply to sporting activity, including those in the areas of Contract, Torts, Criminal Law, Intellectual Property, Trade and Competition Law, Evidence, Administrative Law, Anti-Discrimination Law, Company Law, Consumer Law, International Law and the application of law to children.

1.2 Course content

The course examines the legal issues surrounding sport of all types at different levels: local, national and international; professional and amateur; contact and non-contact. It considers the law as it applies to the governance of sports from local to elite competitions; resolution of disputes; integrity issues, including gambling, match fixing and doping; criminal and tort law relationship to sports; employment/agency, trade and competition law as they relate to sports; marketing and intellectual property; athlete selection; and the application of the law concerning children in a sporting context.

Specific issues considered will include:-

- The application of the criminal law to on-field violence
- The tort of negligence and sport
- Employment law, including collective bargaining agreements
- Competition law in a sports context

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- The application of anti-discrimination laws to the rules and practices by which sporting competitions are organised and conducted, and the way individuals participate
- Sport governance including the ASC mandatory guidelines
- Sport-specific dispute resolution systems
- World Anti-Doping Agency [WADA] and Australian Sports Anti-Doping Authority [ASADA] codes
- Integrity in sports including the regulation of gambling and match-fixing; criminal activity on the integrity of sport

While the course deals primarily with Australian law, it draws upon the international elements that arise from the influence of the Olympics and the role of the Court of Arbitration for Sport. The relevance of important sports law developments in the US and EU will also be considered.

2. Unit value

12 units

3. How does this course contribute to my learning?

Specific Learning Outcomes On successful completion of this course you should be able to:	Assessment Tasks You will be assessed on the learning outcome in task/s:	Graduate Qualities Completing these tasks successfully will contribute to you becoming:
Identify and articulate legal and ethical issues arising from sporting events, activities and relationships.	1, 2a and 2b	Engaged. Ethical.
Demonstrate the intellectual skills to research independently, interpret legal decisions and statutes and synthesise relevant legal principles.	1, 2a and 2b	Creative and critical thinkers. Knowledgeable.
Analyse and Critically evaluate legal, factual and policy issues to generate appropriate responses to complex problems in sports law.	1, 2a and 2b	Knowledgeable. Empowered.
Evaluate and communicate professional conclusions on sports law matters effectively both orally and in writing.	1	Empowered. Engaged.

4. Am I eligible to enrol in this course?

Refer to the **Coursework Programs and Awards - Academic Policy** for definitions of “pre-requisites, co-requisites and anti-requisites”

4.1 Enrolment restrictions

Enrolled in any Law program

4.2 Pre-requisites

LAW104 and LAW202

4.3 Co-requisites

LAW204

4.4 Anti-requisites

Nil

4.5 Specific assumed prior knowledge and skills

Nil

5. How am I going to be assessed?**5.1 Grading scale**

Standard – High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL)

5.2 Assessment tasks

Task No.	Assessment Tasks	Individual or Group	Weighting %	What is the duration / length?	When should I submit?	Where should I submit it?
1	Tribunal appearance	Individual	50%	20 minutes	Exercise will be held in Week 10 in class and at other times to be advised as suitable to students	N/A – Performance will be an oral submission and argument, which will be recorded for marking purposes
2a	Drafting of sports law policies	Individual	25%	2000 words	First week of the central examination period Friday, 5pm	Blackboard (SafeAssign)
2b	Explanatory Memorandum	Individual	25%	2000 words	First week of the central examination period Friday, 5pm	Blackboard (SafeAssign)
			100%			

Assessment Task 1: Tribunal appearance

Goal:	The aim of this assessment task is to provide an opportunity to experience and demonstrate ability in a practical environment indicative of a Sports Tribunal within a Sporting organisation or the Court of Arbitration for Sport. The exercise will be a simulated dispute between an athlete and an organisation such as WADA, of a selection panel. The task enables you to demonstrate the ability to identify and articulate relevant legal and ethical issues; Research, interpret and synthesise relevant sources; analyse legal, policy and factual matters to reach a conclusion; persuasively present an argument consistent with legal authorities and legislation and communicate effectively, which are skills that will be developed during the workshops in the course. The workshops provide supported
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	guidance within tasks that develop the necessary skills to complete assessment task 1, with formative feedback provided in each workshop.
Product:	Presentation of argument on behalf of a fictitious client to a tribunal
Format:	You will participate in a 'mock' tribunal hearing. Further details will be given to you on Blackboard and in the workshops prior to your appearance.
Criteria	You will be assessed on your demonstrated ability to: <ul style="list-style-type: none"> • Identify and articulate relevant legal and ethical issues; • Research, interpret and synthesise relevant sources; • Analyse legal, policy and factual matters to reach a conclusion; • Persuasively present an argument consistent with legal authorities and legislation; • Communicate effectively.
Generic skill assessed	
Communication	Graduate
Problem solving	Graduate
Information literacy	Graduate

Assessment Task 2a: Drafting of sports law policies

Goal:	To demonstrate your understanding of key legal risks and concepts for sporting organisations and athletes, by displaying an ability to present well-articulated policies that anticipate risks for athletes and sporting organisations and apply appropriate policy measures to prevent and or manage risk. This task provides you an opportunity to demonstrate critical thinking of legal issues from various authorities including case law, legislation and in the sports specific jurisdictions of tribunals and the Court of Arbitration for Sport.
Product:	Three sporting organisational, management or governance policies dealing with relevant legal risks to specific sporting organisations and athletes, responding to fictitious scenario provided in workshops.
Format:	Policy format – further details and examples will be provided in workshops. The task involves taking existing policies and redrafting or amending them, or developing new policies, using legal knowledge developed in class.
Criteria	You will be assessed on: <ul style="list-style-type: none"> • Your understanding of Legal concepts and principles as applicable to the three sporting contexts as provided in workshops; • Your ability to apply your understanding to an appropriate context; • Your ability to justify the matters based on your understanding of legal concepts and principles as applicable to a sporting context; • Clarity of writing accuracy of referencing, grammar and spelling.
Generic skill assessed	
Communication	Graduate
Problem solving	Graduate

Assessment Task 2b: Explanatory memorandum

Goal:	The goal of this task is for you to demonstrate your understanding of key legal risks and concepts for sporting organisations and athletes, by displaying an ability to present well-articulated policies that anticipate risks for athletes and sporting organisations and apply appropriate policy measures to prevent and or manage risk. This task provides you an opportunity to demonstrate critical thinking of legal issues from various authorities including case law, legislation and in the sports specific jurisdictions of tribunals and the Court of Arbitration for Sport.
Product:	Explanatory memorandum providing an explanation of the inclusions in policies prepared in assessment task 2a referring to legal authority; to satisfy a sporting organisation and the athletes that appropriate risk management or governance is achieved by the policies prepared in assessment task 2a.
Format:	Explanatory memorandum format which will be provided in workshops.
Criteria	You will be assessed on: <ul style="list-style-type: none"> • Your understanding of Sports Law concepts and principles; • Your ability to apply your understanding to an appropriate context; • Your ability to justify the matters based on your understanding of Sports Law concepts and principles; • Clarity of writing accuracy of referencing, grammar and spelling.
Generic skill assessed	Skill assessment level
Communication	Graduate
Problem solving	Graduate

5.3 Additional assessment requirements**Plagiarism**

In order to minimise incidents of plagiarism and collusion, this course may require that some of its assessment tasks, when submitted to Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

- The final mark is in the percentage range 47% to 49.4%
- The course is graded using the Standard Grading scale
- You have not failed an assessment task in the course due to academic misconduct

5.4 Submission penalties

Late submission of assessment tasks will be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.
- 10% (of the assessment task's identified value) for the third day
- 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.
- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task.

Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

6. How is the course offered?

6.1 Directed study hours

On campus Lecture: 1 hour per week (Weeks 1-13)

On campus Workshop: 2 hours per week (Weeks 1-13)

6.2 Teaching semester/session(s) offered

Semester 2

6.3 Course activities

The Course activities for this course will be provided on Blackboard no later than one week before the first class.

7. What resources do I need to undertake this course?

7.1 Prescribed text(s)

Please note that you need to have regular access to the resource(s) listed below:

Author	Year	Title	Publisher
David Thorpe , Antonio Buti, Chris Davies, Saul Fridman, Paul Johnson	2017	<i>Sports Law</i>	Oxford University Press; Australia and New Zealand

7.2 Required and recommended readings

Lists of any further required and recommended readings may be found for this course on its Blackboard site from time to time. These materials/readings will assist you in preparing for tutorials and assignments, and will provide further information regarding particular aspects of your course.

7.3 Specific requirements

Nil

7.4 Risk management

Health and safety risks have been assessed as low. It is your responsibility to research and understand risks of specific courses and to review the USC's health and safety principles by viewing the online induction training for students.

8. How can I obtain help with my studies?

In the first instance, you should contact your tutor, then the Course Coordinator. Additional assistance is provided to all students through Academic Skills Advisers. To book an appointment or find a drop-in session go to Student Hub.

Contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au

9. Links to relevant University policies and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

<http://www.usc.edu.au/university/governance-and-executive/policies-and-procedures#academic-learning-and-teaching>

10. General enquiries

In person:

- **Sippy Downs** - Student Central, Ground Floor, Building C
- **USC SouthBank** - Student Central, Building B, Ground floor (level 1)
- **USC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **USC Fraser Coast** - Student Central, Building A
- **USC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au