

LAW415 Sports Law

School: School of Law and Society

2022 | Semester 1

UniSC Sunshine Coast

**BLENDED
LEARNING**

You can do this course without coming onto campus, unless your program has specified a mandatory onsite requirement.

Please go to usc.edu.au 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. 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. How will this course be delivered?

| ACTIVITY | HOURS | BEGINNING WEEK | FREQUENCY |
|--|-------|----------------|-----------|
| BLENDED LEARNING | | | |
| Learning materials – Online Learning Materials | 1hr | Week 1 | 13 times |
| Tutorial/Workshop 1 – On campus and/or online tutorial - 2 hours in weeks 1-6 and 10-13 | 2hrs | Week 1 | 10 times |
| Seminar – 2 x 2 hour seminars | 2hrs | Week 8 | 2 times |

1.3. Course Topics

Introduction to the course and overview of the content, the history of sport; the development of the law as applicable to sport; governance of sports from grass roots to elite competitions; contractual basis of sporting rights; introduction to the resolution of disputes in and around sport; athlete selection; The National Sports Tribunal; Internal tribunals; courts role; The CAS; WADC; Doping Disputes; sport and discrimination–race, disability, transgender, children; torts in Sports; the professional sports environment–employment; Agency; trade and competition; crime in Sports;

2. What level is this course?

400 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

3. What is the unit value of this course?

12 units

4. How does this course contribute to my learning?

| COURSE LEARNING OUTCOMES | | GRADUATE QUALITIES |
|---|---|--|
| On successful completion of this course, you should be able to... | | Completing these tasks successfully will contribute to you becoming... |
| 1 | Identify and articulate legal and ethical issues arising from sporting events, activities and relationships. | Ethical Engaged |
| 2 | Demonstrate the intellectual skills to research independently, interpret legal decisions and statutes and synthesise relevant legal principles. | Knowledgeable Creative and critical thinker |
| 3 | Analyse and Critically evaluate legal, factual and policy issues to generate appropriate responses to complex problems in sports law. | Knowledgeable Empowered |
| 4 | Evaluate and communicate professional conclusions on sports law matters effectively both orally and in writing. | Empowered Engaged |

5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

5.1. Pre-requisites

LAW104 and LAW202 and enrolled in any Law Program.

5.2. Co-requisites

LAW204

5.3. Anti-requisites

Not applicable

5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

6. How am I going to be assessed?

6.1. Grading Scale

Standard Grading (GRD)

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

6.2. Details of early feedback on progress

In the first 4 weeks of the semester, students prepare policies and practice guides for the conduct of a Law firm, which are to inform the assessment in Week 7. Those policies and practice guides will be peer-reviewed and formative feedback provided by the lecturer, as to their adequacy and the progress of your understanding and learning.

6.3. Assessment tasks

| DELIVERY MODE | TASK NO. | ASSESSMENT PRODUCT | INDIVIDUAL OR GROUP | WEIGHTING % | WHAT IS THE DURATION / LENGTH? | WHEN SHOULD I SUBMIT? | WHERE SHOULD I SUBMIT IT? |
|---------------|----------|--------------------|---------------------|-------------|--------------------------------|-----------------------|--|
| All | 1 | Written Piece | Individual | 20% | 2000 words | Week 4 | Online Assignment Submission with plagiarism check |
| All | 2 | Oral | Individual | 35% | 20 minutes | Week 7 | In Class |
| All | 3 | Essay | Individual | 45% | 2500 words | Exam Period | Online Assignment Submission with plagiarism check |

All - Assessment Task 1: Collection of four short answers in a written piece

| | | | |
|------------------------|---|---|----------------------------------|
| GOAL: | The aim of this assessment task is to provide an opportunity to demonstrate understanding of foundational concepts applicable in a sporting context. The exercise will be a collation of four written answers in response to workshop content. The task enables you to demonstrate the ability to identify and articulate relevant legal and ethical issues; and research, interpret and synthesise relevant sources. The workshops provide supported guidance within tasks that develop the necessary skills to complete assessment task 1, with formative feedback provided in each workshop. | | |
| PRODUCT: | Written Piece | | |
| FORMAT: | Written Piece that outlines answers to specific questions. | | |
| CRITERIA: | No. | | Learning Outcome assessed |
| | 1 | Identify and articulate relevant legal and ethical issues; | 1 |
| | 2 | Research, interpret and synthesise relevant sources; | 2 |
| | 3 | Analyse legal, policy and factual matters to reach a conclusion; Understanding legal authorities and legislation; | 3 |
| | 4 | Clarity of writing accuracy of referencing, grammar and spelling | 4 |
| GENERIC SKILLS: | Communication, Problem solving, Organisation, Information literacy | | |

All - Assessment Task 2: 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. | | |
| PRODUCT: | Oral | | |
| FORMAT: | You will participate in a 'mock' tribunal hearing. Further details will be given to you on Canvas and in the workshops prior to your appearance. | | |
| CRITERIA: | No. | | Learning Outcome assessed |
| | 1 | Identify and articulate relevant legal and ethical issues | 1 |
| | 2 | Research, interpret and synthesise relevant sources | 2 |
| | 3 | Analyse legal, policy and factual matters to reach a conclusion | 3 |
| | 4 | Persuasively present an argument consistent with legal authorities and legislation | 3 4 |
| | 5 | Communicate effectively | 4 |
| GENERIC SKILLS: | Communication, Problem solving, Organisation | | |

All - Assessment Task 3: Research Essay

| | | |
|------------------------|---|----------------------------------|
| GOAL: | To demonstrate your understanding of key legal principles, issues and concepts for sporting organisations and athletes, by displaying an ability to present a well-articulated persuasive essay on a current sports law topic. 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: | Essay | |
| FORMAT: | Written persuasive essay. | |
| CRITERIA: | No. | Learning Outcome assessed |
| | 1 Your understanding of legal concepts and principles as applicable to the topic; | 1 |
| | 2 Your ability to apply your understanding to an appropriate context; | 3 |
| | 3 Your ability to justify the matters based on your understanding of legal concepts and principles as applicable to a sporting context; | 3 |
| | 4 Depth and understanding of research; | 2 |
| | 5 Clarity of writing accuracy of referencing, grammar and spelling. | 4 |
| GENERIC SKILLS: | Communication, Problem solving, Organisation, Information literacy | |

7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

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

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

| REQUIRED? | AUTHOR | YEAR | TITLE | EDITION | PUBLISHER |
|-----------|---|------|------------|---------|------------------------------|
| Required | David Thorpe, Antonio Buti, Chris Davies, Paul Jonson | 2018 | Sports Law | n/a | Oxford University Press, USA |

8.2. Specific requirements

Not applicable

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

10. What administrative information is relevant to this course?

10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

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

10.2. Assessment: Additional Requirements

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.

10.3. Assessment: Submission penalties

Late submission of assessment tasks may 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.

10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email safe@usc.edu.au.

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email studentwellbeing@usc.edu.au.

10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au.

10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email studentwellbeing@usc.edu.au or call 07 5430 1226.

10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email AccessAbility@usc.edu.au or call 07 5430 2890.

10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

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

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

10.10. General Enquiries

In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au