



## UNSW Course Outline

# JURD7516 Sport and the Law - 2024

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## General Course Information

Course Code : JURD7516

Year : 2024

Term : Term 3

Teaching Period : T3

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Private and Commercial Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

Sport is a central part of modern Australian society and culture. Not surprisingly, as professionalism has become the norm, those involved with sport, be they players, managers, administrators and/or supporters, are increasingly looking to the law to protect their rights and/

or resolve their problems. How and why has this happened? The course touches on a number of different areas of law such as administrative law, business associations, contracts, criminal law, discrimination, industrial relations, taxation, trade practices and torts. The aim is to draw upon specific issues from these various branches of the law and to place them in an historical and modern day context so as to give participants an understanding of the developing role the law is making in the world of sport as well as the policy and ethical issues facing those involved.

## **Main Topics**

- What is sport and when should the law intervene?
- The Australian legal system and the development of a "Law of Sport"
- Clubs, crowds, ideology, gender and race
- Who owns the game?
- The business: general protection issues
- The individuals: restraint of trade; before the mercy of the court - preparing the plea
- Liability and protection issues: defamation, discrimination and drugs
- The international arena: national identity; the future
- Theory in action

## **Course Aims**

The key aims of the course are:

- To draw upon specific issues from various branches of the law and to place them in an historical and modern day context in relation to the world of sport
- To give students an understanding of the developing role the law is making in the world of sport
- To consider the policy and ethical issues facing those involved in the regulation of modern sport
- To have students engaged in practical and scholarly research
- To develop effective oral and written communication skills in students both generally and in specific legal settings related to the world of sport

# Course Learning Outcomes

Course Learning Outcomes
CLO1 : draw upon specific issues from various branches of the law and to place them in an historical and modern day context in relation to the world of sport (PLOs 1, 2, 3, 8)
CLO2 : demonstrate an understanding of the developing role the law is making in the world of sport (PLOs 1, 3, 4, 5)
CLO3 : demonstrate an understanding of the policy and ethical issues facing those involved in the regulation of modern sport (PLOs 1, 2, 3, 7, 8, 11)
CLO4 : demonstrate that they have engaged in practical and scholarly legal research within a set time-frame both individually and as a member of a team (PLOs 1, 6, 7, 10, 12)
CLO5 : demonstrate that they have developed effective oral and written communication skills both generally and in specific legal settings related to the world of sport evidenced by: (1) a concise writing style; (2) constructing arguments supported by doctrinal disciplinary knowledge, and interdisciplinary and policy perspectives; and (3) referencing a range of legal and interdisciplinary research sources using legal citation' (PLOs 6, 8, 9)

Course Learning Outcomes	Assessment Item
CLO1 : draw upon specific issues from various branches of the law and to place them in an historical and modern day context in relation to the world of sport (PLOs 1, 2, 3, 8)	<ul style="list-style-type: none"> <li>• Research essay</li> </ul>
CLO2 : demonstrate an understanding of the developing role the law is making in the world of sport (PLOs 1, 3, 4, 5)	<ul style="list-style-type: none"> <li>• Seminar presentation</li> <li>• Class participation</li> <li>• Debate</li> </ul>
CLO3 : demonstrate an understanding of the policy and ethical issues facing those involved in the regulation of modern sport (PLOs 1, 2, 3, 7, 8, 11)	<ul style="list-style-type: none"> <li>• Research essay</li> </ul>
CLO4 : demonstrate that they have engaged in practical and scholarly legal research within a set time-frame both individually and as a member of a team (PLOs 1, 6, 7, 10, 12)	<ul style="list-style-type: none"> <li>• Plea in mitigation</li> <li>• Research essay</li> </ul>
CLO5 : demonstrate that they have developed effective oral and written communication skills both generally and in specific legal settings related to the world of sport evidenced by: (1) a concise writing style; (2) constructing arguments supported by doctrinal disciplinary knowledge, and interdisciplinary and policy perspectives; and (3) referencing a range of legal and interdisciplinary research sources using legal citation' (PLOs 6, 8, 9)	<ul style="list-style-type: none"> <li>• Seminar presentation</li> <li>• Plea in mitigation</li> <li>• Class participation</li> <li>• Debate</li> </ul>

# Learning and Teaching Technologies

Moodle - Learning Management System

## Learning and Teaching in this course

UNSW Law emphasises seminar or small group teaching. This has become synonymous with a social justice approach, which values participation by students who are expected to grapple with authentic scenarios as a central part of the learning process. This approach has also been described as discussion-based, rather than a transmission based approach in which knowledge is unquestioned

## Assessments

### Assessment Structure

Assessment Item	Weight	Relevant Dates
Research essay Assessment Format: Individual	40%	
Seminar presentation Assessment Format: Individual	30%	
Plea in mitigation Assessment Format: Individual	10%	
Class participation Assessment Format: Individual	10%	
Debate Assessment Format: Individual	10%	

## Assessment Details

### Research essay

#### Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

#### Course Learning Outcomes

- CL01 : draw upon specific issues from various branches of the law and to place them in an historical and modern day context in relation to the world of sport (PLOs 1, 2, 3, 8)
- CL03 : demonstrate an understanding of the policy and ethical issues facing those involved in the regulation of modern sport (PLOs 1, 2, 3, 7, 8, 11)
- CL04 : demonstrate that they have engaged in practical and scholarly legal research within a set time-frame both individually and as a member of a team (PLOs 1, 6, 7, 10, 12)

### **Assignment submission Turnitin type**

This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

### **Generative AI Permission Level**

#### **Simple Editing Assistance**

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

For more information on Generative AI and permitted use please see [here](#).

### **Seminar presentation**

### **Assessment Overview**

Feedback includes formative feedback, peer feedback in class.

### **Course Learning Outcomes**

- CL02 : demonstrate an understanding of the developing role the law is making in the world of sport (PLOs 1, 3, 4, 5)
- CL05 : demonstrate that they have developed effective oral and written communication skills both generally and in specific legal settings related to the world of sport evidenced by: (1) a concise writing style; (2) constructing arguments supported by doctrinal disciplinary knowledge, and interdisciplinary and policy perspectives; and (3) referencing a range of legal and interdisciplinary research sources using legal citation' (PLOs 6, 8, 9)

### **Generative AI Permission Level**

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demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties. For more information on Generative AI and permitted use please see [here](#).

## **Plea in mitigation**

### **Assessment Overview**

The plea in mitigation is due on the last day of the course.

The Course Convener will outline how to prepare a plea in mitigation and then distribute hypothetical facts for each student to prepare a plea to present on the last weekend of the course.

Feedback includes formative feedback, peer feedback in class.

### **Course Learning Outcomes**

- CL04 : demonstrate that they have engaged in practical and scholarly legal research within a set time-frame both individually and as a member of a team (PLOs 1, 6, 7, 10, 12)
- CL05 : demonstrate that they have developed effective oral and written communication skills both generally and in specific legal settings related to the world of sport evidenced by: (1) a concise writing style; (2) constructing arguments supported by doctrinal disciplinary knowledge, and interdisciplinary and policy perspectives; and (3) referencing a range of legal and interdisciplinary research sources using legal citation' (PLOs 6, 8, 9)

### **Generative AI Permission Level**

#### **No Assistance**

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

## **Class participation**

### **Assessment Overview**

Awarded after the end of the course, this includes preparation for and active participation in class discussion and group exercises.

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### Course Learning Outcomes

- CL02 : demonstrate an understanding of the developing role the law is making in the world of sport (PLOs 1, 3, 4, 5)
- CL05 : demonstrate that they have developed effective oral and written communication skills both generally and in specific legal settings related to the world of sport evidenced by: (1) a concise writing style; (2) constructing arguments supported by doctrinal disciplinary knowledge, and interdisciplinary and policy perspectives; and (3) referencing a range of legal and interdisciplinary research sources using legal citation' (PLOs 6, 8, 9)

### Assignment submission Turnitin type

This is not a Turnitin assignment

### Generative AI Permission Level

**Not Applicable**

Generative AI is not considered to be of assistance to you in completing this assessment. If you do use generative AI in completing this assessment, you should attribute its use.

For more information on Generative AI and permitted use please see [here](#).

## **Debate**

### Assessment Overview

Feedback includes formative feedback, peer feedback in class.

### Course Learning Outcomes

- CL02 : demonstrate an understanding of the developing role the law is making in the world of sport (PLOs 1, 3, 4, 5)
- CL05 : demonstrate that they have developed effective oral and written communication skills both generally and in specific legal settings related to the world of sport evidenced by: (1) a concise writing style; (2) constructing arguments supported by doctrinal disciplinary knowledge, and interdisciplinary and policy perspectives; and (3) referencing a range of legal and interdisciplinary research sources using legal citation' (PLOs 6, 8, 9)

### Generative AI Permission Level

**Not Applicable**

Generative AI is not considered to be of assistance to you in completing this assessment. If you do use generative AI in completing this assessment, you should attribute its use.

For more information on Generative AI and permitted use please see [here](#).

## **General Assessment Information**

For further information on generative AI use in the Faculty of Law & Justice, please review the

section titled 'Academic Honesty and Plagiarism' under the 'Other Useful Information' tab.

Grading Basis

Standard

# Course Schedule

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

# Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Deborah Healey					Yes	Yes
Lecturer	Michael Bricknell					Yes	No

# Other Useful Information

## Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.



For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Generative AI

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions

that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the wrongful use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the Student Integrity team for investigation. Please go to the link for further information about [referencing and acknowledging the use of artificial intelligence tools](#).

### **Prohibition on use of translation apps**

With limited exceptions for language study, the course of study and assessment in Australian universities must be in English (Higher Education Standard Framework (Threshold Standards) 2021 1.5 6(c)).

In Law & Justice many classes have assessable class participation. This must be in English. **Use of a translation device to assist with contributions to class discussion is not allowed.** Marks for class participation may be reduced where use of translation devices is detected. Similar prohibitions apply to use of any other generative text app that is not specifically permitted by the class teacher. However, use of translation software to assist a student to understand material outside of class, or to assist with preparation for assessment is generally permitted.

Further considerations apply to LLB and JD students. International lawyers who seek to be admitted in NSW must satisfy an English proficiency test. That test is expressed as equivalent to IELTS scores of 7.0 -8.0 across the tests. It is assumed that UNSW graduates are at or above those levels of English proficiency. Use of translation apps can impede the attainment of that level of proficiency. Students should avoid behaviours that put them at risk of breach of legal requirements which can have significant consequences, including potential consequences for your admission as a lawyer.

### **Submission of Assessment Tasks**

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

### **Special consideration**

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

## Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this

course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## **School Contact Information**

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.