

# Sports Law 101 Roundup

**Belyndy Rowe**, Senior Associate at Saintry Law, reports on the Sports Law 101 webinar in September.

On 22 September, while most people were still catching their breaths after the spectacle of the Tokyo Olympics, the CAMLA Young Lawyers dug deep and went *Faster, Higher, Stronger – Together* with Sports 101. Our panel featured some of the best people in the industry.

**Tim Fuller**, Special Counsel at Gadens, author of esteemed sports law courses and ex professional NRL player.

**Simon Merritt**, Senior Associate at Lander & Rogers, national champion dinghy sailor, and former Victorian Institute of Sport athlete.

**Calli Tshipidis**, Legal Counsel at Foxtel Group, devoted Rabbitohs supporter, and current Chair of the CAMLA Young Lawyers Committee.

Tim burst out of the blocks, providing invaluable insights on the operation of the Court of Arbitration for Sport and its recent dismissal of the appeals of the World Anti-Doping Agency and Sport Integrity Australia which confirmed Australian swimmer Shayna Jack's reduced two-year period of ineligibility to compete in the sport. Tim discussed the challenges of a system that requires athletes to explain how they came into contact with a banned substance, and the need for clearer processes in assessing 'intention' in anti-doping cases.

Simon took up the running by discussing the hot button issue of the duty of care that



sport governing bodies and clubs owe their athletes who suffer concussion or experience mental health issues. Simon predicted that we will see liability for athlete concussion at the forefront of litigation for the next 10 years. However, our medical understanding of concussions will need to improve before litigation can proceed with any certainty. Simon also tackled the contentious topic of disciplining players who commit off-field indiscretions and concluded that it is critical for governing bodies and clubs to identify the legitimate interest the club is trying to protect and act accordingly.

Calli powered the team to the finish line, providing insights into her work with on-screen talent and ambassador deals across the Foxtel Group, and the complexities of exploiting an athlete's name, image and likeness. Calli explained that although we don't have a right of publicity in Australia, other areas of law can be used to protect an athlete's image. Calli discussed the increasing significance of morality clauses in endorsement

contracts and the correlation with the increased exposure of athletes across social and other platforms. Calli said these clauses need to balance the athlete's right to share their views with the sponsor's legitimate interest in disassociating themselves from an athlete to protect their brand and reputation.

This event produced plenty of content for the highlight reel, with a strong team performance from our passionate panel members and impartial umpiring from moderator Nicola McLaughlin. We wrapped up with predictions for the upcoming NRL and AFL finals. Tim took the prize by predicting the Mighty Dees' triumph. All other tips were way off the mark.

The CAMLA Young Lawyers Committee had great fun pulling this event together. Thank you to our panel, Cath and the CAMLA Board for your support, and the Young Lawyers event subcommittee: Jessica Norgard, Dominic Keenan, Nicola McLaughlin, Calli Tshipidis and Belyndy Rowe.