



Being part of a club or team can offer countless hours of recreational fun and enjoyment with friends and teammates. Given the emotive nature of competitive sport and the high level of physical exertion required, you may find yourself in the unfortunate predicament of exploring your legal options in order to be compensated for an injury or to appeal an adverse decision or suspension handed down against you.

In regional Australia we are seldom confronted with the sports law issues that frequent the major professional sporting codes such as doping, underpayment of athletes, match-mixing and live betting. Instead the sports law issues commonly encountered in amateur sports are those concerning:

1. Mandatory bans, suspensions and sanctions.
2. Deductions of competition points.
3. Fines.
4. Disciplinary hearings.
5. Grievance resolutions and appeals processes.
6. Claiming insurance for injuries.

All sports have their own rules, codes of conduct, laws, disciplinary procedures and processes. In most instances the on-field referee or umpire has authority to adjudicate a match at their discretion. An accumulation of cautions throughout the season or a citation for serious misconduct will normally attract a mandatory suspension that will vary depending on the gravity of the alleged offence(s) and the player's disciplinary history.

Most of the time referees and umpires get it right, however sometimes they don't. In situations where the wrong player has been cited it is possible to appeal on the grounds of mistaken identity. In reality, when it comes to revoking or downgrading mandatory sanctions sporting judicial bodies are reluctant to overturn on-field decisions. This unfortunately means the principles of procedural fairness that should otherwise be implemented, and upheld are often forfeited for a streamlined method of dealing with disciplinary matters.

Some tribunals and disciplinary panels will not consider evidence regardless of how clear and convincing that evidence may be. Legal representatives and advocates are often unable to represent players at hearings unless in exceptional circumstances and where leave has been granted.

The lack of transparency in some decision-making processes can often lead to bias and impartiality. Avenues for appealing a tribunal's decision are limited, expensive and not available in circumstances where regulations and by-laws have expressly removed the right to further appeals and recourse to the courts. A solicitor will be able to assist in explaining the steps of a disciplinary process and how to lodge an appeal to a governing body. A solicitor can also help you prepare for a hearing and represent you in some circumstances.

Many sporting clubs, bodies and organisations include insurance covers with registration. It is important to check the terms and conditions of your policy so you know exactly where you stand and what you are covered for. If an insurance policy is not offered or included, you may want to consider taking out private health insurance to cover any medical expenses such as hospital and ambulance charges that can be incurred in the event of a serious injury. If you have suffered a sporting injury which has left you out-of-pocket or unable to work, you may be entitled to make a claim on your policy. If you are unsure about how to make a claim or are having difficulties with your insurer, it may be a good idea to speak to a solicitor to ensure you receive the maximum benefits you are entitled to.

Whether you train and compete on a regular basis, play for leisure, exercise to stay in shape, coach, manage, spectate or are involved in the administration of your local sports club or association, it is important to know your rights and options from the outset.

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