

Issue 13

touchline

The journal of sport, leisure & risk with an international perspective

NEW SERIES ON OLYMPIC SPORTS

**MAJOR FEATURE:
HOCKEY**

INTERVIEWS:

JAMIE DWYER

THE WORLD'S GREATEST HOCKEY PLAYER

**PLUS INTERVIEWS WITH
TOP COACHES AND PLAYER**

TOUR de FARCE

**THE MONEYBALL
PHENOMENON**

**CASHING IN AT
THE OLYMPICS**

SPORTSCOVER SPONSORED ATHLETES ARE ON THEIR WAY!

Congratulations to two of the athletes sponsored by Sportscover who have been selected to compete in the games in the next couple of months. Nina Heglund, handball player for Team GB, and Madeleine Hogan, Australian Paralympic javelin thrower, will represent their respective countries at the London Olympics.

Nina and her 13 handball teammates have the added honour of making history by being the first athletes to ever represent Team GB in handball at the Olympics.



Madeleine Hogan signs a poster of the Touchline cover that she was featured on.



Madeleine Hogan's Touchline Cover

Nina has been keeping a blog of her preparation and progress – visit ninaheglund.blogspot.com.au.

Maddy is a world-leading F46 javelin thrower who won bronze for Australia at the 2008 Paralympics in Beijing and is preparing to take the next step in London 2012. Maddy has had a good lead-up and is confident of success in London. She competes on Saturday 1st September in the women's javelin throw F46 event.

We wish both athletes all the best at the Games.



Nina Heglund is happy to be selected for Team GB

SPORTSCOVER'S GREAT SPORTS PHOTO COMPETITION

CLOSING SOON! The Closing Date for this competition is 31 August, 2012.

Don't forget to let Touchline have those great sport action shots for Sportscover's 2012 Great Sports Photo Competition.

Images entered must be recent (2011 - 2012) and photographed by the entrant.

The competition is open to all readers of Touchline and is a great chance for you to see your photo published worldwide.

Winners of the top three photos will also WIN a gift voucher of the following values*:

- First Place: A\$500
- Second Place: A\$350
- Third Place: A\$150

Upload your photo to www.sportscover.com/photo-competition.asp



Please note, a high resolution photo is required for final judging.

* Or local currency equivalent. For full terms and conditions see our website at www.sportscover.com/touchline-photo-competition-terms-and-conditions.asp

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LET THE GAMES BEGIN!

Well the games have finally arrived and the sports fest is about to begin. All of the planning, design, construction work, and funding have been focused on providing a spectacular showcase of sport over the next few months until the closing of the Paralympic games on 9 September.

Last minute security issues aside, LOCOG should be congratulated on making sure that progress towards completion of the games village and venues was never in doubt despite the appalling weather that the UK has endured since May.

London has some tough acts to follow and we will only know after the event whether these Games have reached the level of attainment that we saw in Sydney and Beijing in particular. But, if the weather is kind, there is no doubt that the athletes will try to surpass previous achievements and raise expectation and excitement levels as records fall, to provide us with an amazing event.

There has been a lot of speculation over the number of medals that will be won by the top ranking countries. Some of this speculation is pure interest or national pride, but some relates to business. Companies often look at these major events as an opportunity to promote themselves by providing free products or refunding the cost of purchases if their home country manages to, for example, exceed a certain total medal haul or number of gold medals. Indeed, Sportscover has seen a significant increase in the months before the

Games of requests for contingency insurance based on the number of medals won by specific countries.

On this subject, a PwC report entitled "Modelling Olympic Performance", which was published in June, is a fascinating read. It looks at the influence that factors such as home country advantage, economic performance, and the advantages of a planned economy such as in China, have in affecting the ability to win medals. The report identifies the correlation between population, wealth and medal performance, although this is not always the case. A significant underperformer in this regard is India. It also notes that home countries punch above their weight, partly because of the increase in funding that usually occurs in a host nation. This accounts for the report's prediction that China and Australia will all do slightly worse this time around. The effect was less marked for Greece with the Athens Games.

The good news for Great Britain is that PwC predict that it will outperform the level of achievement in Beijing and win fifty-four medals and maintain fourth place in the medals table behind a resurgent USA (113 medals), with China second, but with a total that declines from the heights achieved last time around (87) and a still powerful Russia in third with 68. These four head the table ahead of Australia (42) and Germany (41).

Fascinating stuff! But in a month's time, we will know just how close this predication is!

Steve Boucher

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BRADLEY WIGGINS WINS TOUR DE FRANCE

Bradley Wiggins has become the first Briton to win the Tour de France with an incredible performance of strength, stamina and sporting behaviour. Wiggins, who earned praise for the way that he helped restore order by waiting for those delayed riders affected by the tack throwing sabotage, said that it had been a dream come true to win the yellow jersey.

British riders dominated in the 99th Tour de France and the team will now turn its attention to the Olympic Games where Wiggins, world champion Mark Cavendish and Chris Froome will star for the host nation in the cycling events.

Mark Cavendish signed off on an almost perfect Tour for their team with a bunch sprint victory to win the final and 20th stage, a 120-kilometre race from Rambouillet south of Paris to the Champs Elysees. It was his third stage win for the Tour, his team's sixth and, with David Millar's (Garmin-Sharp) win, the seventh for British cycling.

As if that was not enough, Sky clinched a rare one-two with Briton Chris Froome (Sky) placing second overall to Wiggins at 3 minutes 21 seconds.



Bradley Wiggins on his way to winning the Tour.

Photo By: Ludovic Péron

STAMBRIDGE UNITED CELEBRATE HISTORIC MILESTONE

Celtic Football Club and Stambidge United have a major achievement in common. They have both been around for 125 years.

Non-league outfit Stambidge United celebrated the start of their 125th Anniversary year with a preseason friendly against lofty neighbours Southend United. Recent recipients of sponsorship from Sportscover, the Essex Olympian (previously named Intermediate) League, Division 3 outfit invited Southend, a Football League Two team to play at the Stambidge Memorial Ground on 16th July.

While the score line reflected the gap between the two sides, a 5 nil margin in favour of Southend, the occasion marked a memorable achievement for the one time club of ex-Scotland, Tottenham and Manchester United player Alan Brazil.

The height of Stambidge United's success came during 1988-92, competing in the Essex Senior League. Sadly, the '91-'92 season brought relegation back to the Essex Olympian League where they remained until 2008, moving up and down the various divisions until they were forced to withdraw the team for the '08/'09 season.

The club have left those dark days behind however, bouncing back to win the Southend Borough Combination Division One at their first attempt in 2009. The club sealed back to back promotions by finishing second in the Premier Division the following season to earn back their place in the Essex Olympian League. The club continue to rely on the support of local volunteers, generous businesses and individuals to keep progressing in the right direction.



FOCUS FEATURE: HOCKEY

TO COINCIDE WITH THE OLYMPICS, TOUCHLINE IS COMMENCING A SERIES OF FEATURE ARTICLES FOCUSING ON OLYMPIC SPORTS. IN THE FIRST IN THE SERIES, THE SPOTLIGHT IS ON HOCKEY. WE'VE INTERVIEWED SOME OF THE TOP NAMES IN HOCKEY TO PROVIDE AN INSIGHT INTO THIS EXCITING SPORT.

Hockey is one of the fastest paced team sports and generates a lot of excitement at the Olympics. It is one of the most popular Olympic sports, drawing large crowds and television audiences. Yet whilst it is a huge sport in The Netherlands, where it is ranked second only to football and in other countries such as India, hockey often does not get the profile that it deserves in the intervening years. However things are changing. Hockey is played on five continents by over 3 million people and its popularity is growing.

History

Hockey is one of the oldest competitive sports recorded. However, although it can trace its roots back to ancient Egypt over 4,000 years ago, the modern game of hockey has its origins in England in the mid 18th Century, primarily in schools.

The first Olympic hockey competition for men was held in London in 1908. The International Hockey Federation was founded in Paris in 1924 and in 1927 the International Federation of Women's Hockey was formed. The two organisations came together in 1982 to form the International Hockey Federation. The FIH now has 127 member associations around the world.

Hockey has been an Olympic sport on and off since the early days, but is now a regular feature of the programme.

World Rankings

Australia is the number one ranked team in men's hockey followed by Germany, Netherlands and Great

Britain. However, India, has won the most Olympic gold medals since 1908 followed by Pakistan and Great Britain.

The Netherlands head the women's rankings, followed by Argentina, Germany and Great Britain. The country with the highest number of hockey gold medals in the Olympics is Australia, followed by The Netherlands.

The Game

- Hockey gets its name from the French word 'hocquet', which means shepherd's crook.
- Hockey is played on all five continents by 3 million people around the world.
- The hockey pitches are 91.4m long and 55m wide. The goals at each end are 3.66m wide and 2.14m high. Each goal is surrounded by a D-shaped shooting circle. The penalty spot at either end is 6.4m from the goal.
- Hockey sticks are always right handed. This is for safety reasons. It is illegal to play with a left handed stick.
- A team can make substitutions as many times as they want during a game. They can do it at any time, even while the ball is in play.
- The ball can only be played with the flat side of the stick. The umpire will call a foul if the back (curved) side of the stick is used.
- Two umpires control the match. They each control half the pitch and work together on decisions in the middle.



Hockey Terminology

Golden goal – if extra time is required during the knockout stages of the competition, the team that scores the first goal – the golden goal – wins the match.

Green card – an official warning that results in an automatic two-minute suspension. The umpire may also issue yellow cards (longer temporary suspensions) and red cards (removal from the game).

Penalty corner – awarded for a variety of different infringements (usually in the shooting circle), penalty corners are taken from the back line, 10m either side of the nearest goalpost. Only five defenders are allowed to defend penalty corners, which are also known as short corners.

Shooting circle – an arc in front of each goal; goals can only be scored from within the shooting circle.

INTERVIEW WITH KOOKABURRAS COACH RIC CHARLESWORTH

Touchline interviewed Dr Richard ('Ric') Charlesworth, Coach for the Kookaburras – the Australian men's hockey team. Ric is one of the most successful coaches in hockey. He was named Team Coach of the Year in 1994, 1996, 1997, 1998, 1999 and 2000. Coach of the Year in 1994, 1995, 1996, 1997, 1998, 1999 and 2000. He was also named the Confederation of Australian Sport's Coach of the Year in 1996, 1997 and 2000.

Ric was the first person to have played and coached a gold medal winning World Cup team in Hockey. He also won the Australia Institute of Sport (AIS) Coach of the Year 2010. Ric was with the team in preparation for the 2012 Olympics in London.



Touchline – Your CV is pretty impressive. You've been a first class cricket player, top hockey player and coach and an Australian Federal MP. That's pretty amazing! What do you consider to be your most significant achievement?

Ric Charlesworth – I'm the father of 5 children!

I've done a range of things; I'm a Medical Practitioner too. The one constant thread that has run through my life and my one great passion has been hockey. I fell into coaching, almost accidentally really. It's not something that I planned, but I've been doing it now for 20 years. I had a career playing for 16 years. It's a game that I love. One of the things I like about it, whether men or women are playing, the rules are the same, and it's a game which is based on skill and speed, not necessarily physical brawn, although you need physical courage to play, which is, I think, an important element of good competitive sport.

Hockey becomes the focus of attention every Olympic year but it doesn't seem to maintain that level of excitement or focus after the games. Why do you think that is?

Yes, and indeed at the Sydney Olympics hockey had the third most spectators at any event and I think that will be the same in London.

The main problem is the media – there are more people covering the AFL (Australian Football League) than there are players playing, so to get a story on our sport is pretty difficult. There are still 150,000 players in our county, so there's still a lot of interest. It's a spectacular game, and I think they've got the rules about right now, it's as fast as any game you'll see and the skill that is displayed is exceptional, but how do you break that cycle? We can't get a main sponsor because we aren't on TV, but without a main sponsor we can't get on TV.

Maybe in the past it was too technical perhaps. Now they are better at covering it. The International Hockey

Federation has a group of cameramen going around the world filming the competitions. It's fast, but it flows almost as well as any other game you can imagine. They've got the rules right, and it's been progressive.

To what do you attribute the success in growing talent in Australia?

We get first choice athletes and we play the sport in every state. We have this culture of good teams, and I think we have good coaching practices. I think a number of the innovations that have been done in team sport have been done in our sport first because of the people that we have had involved, and that grows on itself. You've got to be constantly vigilant if you want to keep being good.

How does this team compare to teams of the past that you have coached and even teams that you played in?

I think the players are getting better all the time. I watch sometimes at training and I'm amazed at what they can do. We were good, they are much better. Given another time and another era, and the opportunities and equipment that are available, I'm sure that the players of the past would have been much better too.

I think the game continuously develops. Talented people - that's been the key to us having good national teams during the time that I played and now.

Jamie Dwyer would probably be opening the batting for Australia if he wasn't doing what he's doing now. He's a very gifted athlete in whatever he's doing, but he's not Robinson Crusoe in our team, there are others in the team as well.

So what do you consider the team's chances of winning the gold at the Olympics to be?

I don't know. We're good enough to, if we play as well as we can, but you can run into a disaster and things can go wrong pretty quickly and I understand that. I played in a bunch of teams that didn't win the major competitions for various reasons. It comes down sometimes to just a few moments in a critical match.

The world record holder and the world champion win just one event in four at the Olympics, so the other 3 are won by someone else. The guy that's ranked 10th in the world only wins about 7% so I'd rather be in with a 25% chance rather than a 7% chance! We've lost to everybody ranked in the first 10. On any day that can happen. What you do in your preparation is that you make sure you can cover every base and that you have contingencies and that the teams resilient. At the Olympics we have to play 7 games in 13 or 14 days. It's an endurance event as much as anything else - if you lose a couple of players early on, you're limited. We got to the final event in the Montreal Olympics

and we had played 2 more games than the team we played in the final because there had been a boycott in the other side of the pool. You do everything you can to cover your contingencies, and by the time we get on the plane to go to London most of the things that we can do in preparation will be done. If you lose half way through the tournament, it can be debilitating, but you have to get up 2 days later and play again.

You've had unprecedented success in coaching, what do you put that down to?

I think - I hope - that I learnt a lot from all the teams I played in - learnt from all the mistakes that were made, and that I've made over my period of time and we would hope to avoid those. I've been lucky - I've had good athletes and you can't win unless you have that. I suppose the bit that I can take the credit for is the sustained success of the group and hopefully you do it because they do prepare well. We have deliberately built a deep squad going into these Olympics so if we lose someone important we are still going to be good. Not relying on just a few - you have to have the depth, and work hard at that and hopefully there will be a dividend in doing so.

I heard somewhere that you have never lost a major tournament with the Kookaburras. Is that right?

We lost plenty of games, and we've lost some tournaments, but at the main ones we've been successful. So yes.

For 8 years we were number one and I didn't think that was possible when I first started. We always thought we were good enough to win the main competitions, we had enough talent to allow us to win, but whether or not you could maintain that quality over a length of time, I was never sure about that. You hope that you can get it right, but everyone else is watching you and

learning from you, and they all want to beat you.

Do the distances involved in coaching an Australian team make communication difficult?

It can, one-third of my team is in Europe playing the domestic competition over there. I guess that makes it harder with the Kookaburras than the Hockeyroos as they don't have that. Much harder to get them together and spend time together than it was with the girls. Last year we spent some time in Europe watching them play in their clubs, so I guess we have had to change the way we do it.

Do you change your strategy depending on the team you're playing, or do you go out there and say we will continue to play our game?

That's an old coaching conundrum, that is! You make a mistake if you react too much to an opposition, but you had better also be wary of what their strengths are and how to deal with their players. You have to understand the peculiarities of each team. One of the difficulties of this sport is that one day we're playing Spain, the next day we're playing India, then Korea, then Argentina. They are all different, Germany and Great Britain are significantly different in their mentality and the way they approach the game, so you have to deal with that appropriately. We had a meeting today, and we were talking about Germany and how we might play against them, that's a continuous process that goes on. The big dilemma as a coach is that there's no point in me knowing that stuff - the players actually have to know it to be able to do it out on the field. There has to be practical applicability for them for that stuff.

Good luck in London.

INTERVIEW WITH WORLD PLAYER OF THE YEAR

JAMIE DWYER

Jamie Dwyer is the most successful hockey player of all time, being named 5 times world player of the year including the reigning world player of the year. He was also named young player of the year in 2002. Jamie has played in hockey leagues in Australia, Spain, India and the Netherlands. He has played nearly 300 matches for Australia and scored over 150 goals. He won gold with the Kookaburras at the 2004 Olympics and bronze at the 2008 Olympics. He won the gold medal at the 2006 and 2010 Commonwealth Games and a gold medal at the 2010 Men's hockey World Cup.

Touchline: What actually brought you to the sport in the first place?

Jamie Dwyer: I decided to start playing because my parents played hockey. I grew up in Rockhampton in QLD and I started playing on the grass. My Mum and Dad played, my cousins, aunts and uncles, so it's a real family sport. I loved it then and I still do love it.

How do you think that the current Kookaburras team compares to other Kookaburras teams that you have played for or other teams from the past?

It's hard to compare, because I guess the game changes so much.

Since we won in Athens in 2004, the speed of the game has changed so much. One thing I will say about this current sport at the moment is that we have the biggest depth that we have ever had. We have somewhere between 28 and 35 guys that could realistically be picked for the Olympic team, and we haven't had as much depth in other campaigns. It's a good thing, because every time you go out to train it's very competitive as there is a spot up for grabs. It's great for the future of the sport.

What is the chance of winning gold at the Olympics?

We have a chance! There are another 12 nations going, we have a lot of preparation and a lot of fine tuning that we need to do, it's going to be difficult. We have lost to each of the top 10 teams in the last couple of years, so there's not much difference between the number one team in the world, which is us and the number 10 team. It will be difficult, but if we play to our potential I think we will be a pretty tough team to beat. It's a tough group to be playing in, so it will be a big challenge.

Which team do you see as your main competitor for the gold medal at the Olympics?

Germany if I had to pick one, defensively their structure is really good and they have a simple game plan that they stick to. Their penalty corner and attack are very efficient. Then there's Holland who are tough, Great Britain in front of their home crowd who will be well prepared, you've also got Spain who are a little bit unpredictable. It's going to be tough – for sure!

What do you think of the new colours of the pitch and the ball?

I think it's great – It's good for hockey. For TV the yellow ball on the blue pitch is much clearer. I think it's good to get the sport onto TV and show it to the world, I think it's a great move.

From a playing point of view, there's no difference, if anything it's a little bit easier to see at night. It's definitely a good move for hockey.

You've had unprecedented success with the game. What do you put that down to?

Train very hard, and always try to keep improving. It doesn't matter what individual honours or what tournaments we've won as a team, I just always try to improve. Work hard. I love going away with the team, having fun, and I love being out on the pitch wearing the Green and Gold.

Simply – train hard – try to improve and enjoy it.

Of all the awards and accolades, which one has given you the most pleasure?

I guess the individual – last year as player of the year. I was out for 4 or 5 months with a knee injury, I only had a little bit of preparation before the champions trophy, which the Kookaburras won. Then I was voted player of the year. At my age and to have had an injury, you start to have a few doubts go through your head, about your ability, about whether you're going to come back, whether you're going to come back as fast and fit as you were. So to come back and then win the award was probably the most satisfying of them all.

You're 33 now. How long do you think you could continue to compete at the highest level?

I would like to compete until the next World Cup, whether I'm going to or not I'm not sure. I've got a young family now and a lot of other things going on in my life, so I'll have to reassess how this year goes after the Olympics.

So you find that it takes longer to recover after an injury?

I've been pretty lucky with injuries other than the cartilage in my knee last year and 2003 when I did my ACL, apart from that I've been lucky.

Weekly training I have to manage a bit better. I'm still as fit and fast, but I find that I have to have one less day per week so that I can recover better. If I stick to this schedule, I think I could go for a few more years.

You've obviously played at the highest level and you've played in the Netherlands, how does that compare to playing state league here and competitions around the rest of the world?

In Holland there's a big following, hockey is semi-professional, and at the moment there are a lot of foreigners in the competition and the competition is really good. Here in Australia it's a little bit difficult because of the size of the country to have a national program for 6-7 months of the year, so I just play in my local Perth comp. It's also difficult because there are so many sports played in Australia which other people follow. It's difficult to keep every one involved and for them to keep playing the sport. In Holland I think it's pretty exciting, the structure is different.. For me personally, I enjoyed playing over there for 5 years. I played in a very good team, made a lot of friends, and had a great time on the field, enjoying some success as well. It was good to

play over there, but for me now I think I'll just stay in Perth and enjoy the club season here.

Why do you think hockey is so popular in the Netherlands?

I'm not sure actually! I guess it's on the internet a lot, their women's team is going really well, the girls are quite attractive, so maybe the young girls that are looking for sporting hero's are looking up to them – that they might want to be like them when they grow up.

They started training with the men's teams in the 90's and that's carried through to now, that's been very successful.

They've got less sports to contend with – they've only really got football (soccer), ice skating and tennis. Hockey is probably one of the most popular games to play. Here in Australia we've got (national competitions for) Aussie rules, soccer, rugby union, rugby league and basketball.

Australia punches well above its weight in terms of success in both men's and women's hockey. If you compare it to the professionalism of the leagues in Europe where they get to play top players week in and week out, it seems strange that Australia has had so much success. Why do you think that is?

I think it's our culture, about playing sport. We have a lot of people playing the sport here – there are 150,000 people registered to play hockey. In Holland it's around 300,000 people. I think it's the way we go about our sport – we love our sport. I guess it's also the sports science involved: we follow America a little bit in that, it's pretty hi-tech nowadays. The Australian Institute of Sport has set up a programme for sports like hockey, if we didn't have

that we wouldn't have the success. It's a lot of things. It's the culture, it's the way we look at sport, the programmes that they have set up at the Australian Institute of Sport which has helped us to improve in the sport in both men's and women's teams.

I would love to see more and more gold medals from hockey and all the other sports. I think it's really important for kids to want to get out and meet new friends, to play a sport, to stay fit and healthy. Very important in our country.

It's important to know the history of the Kookaburras. We are possibly the most successful team in Olympics history. We haven't come outside the top 4 since 1971 so we have provided a lot of medals in the Olympics and world cups. I think it's such an entertaining game. When people go to see a really high level game, they see that it's a very exciting and skillful game. I think to watch it live it's better than the majority of sports. I think we need to let people know how cool the sport is!!!

You've had a number of successes and achievements over the years, what would you say are your biggest achievements both on the field and off the field?

Definitely winning the 2004 Olympics gold medal and hitting the winning goal in. Off field – the birth of my two sons – Julian and Taj – definately a very, very special moment in my life, as all fathers would agree.

Thank you – you're the top name in the game and it's really good to be able to interview you for this feature. We wish you every success for the Olympics.

INTERVIEW WITH

ADAM COMMENS

COACH OF THE AUSTRALIAN WOMEN'S HOCKEY TEAM

Touchline caught up with Adam Commens, whilst coaching the Hockeyroos at a tournament in New Zealand. Adam is a former top hockey midfielder who won a bronze medal with the Kookaburras at the Sydney Olympics. He won a total of 143 caps for Australia. Formerly coach to the Belgium team, Adam was appointed coach of the Hockeyroos in 2011.

Touchline – Firstly, Adam, can I ask about the current tour and whether you're happy with the performances of the squad?

Adam Commens – Yes, I'm reasonably happy with the way we've gone here in New Zealand. We know that New Zealand and the USA in particular are reasonably strong teams, and they will be in our pool at the Olympic Games providing that Japan qualify in the tournament coming up. We knew that they would be tough opponents. We've seen some good victories, however we've had a loss and a draw against New Zealand as well as a win in the first match. That's exposed some of our weaknesses which is the idea behind these tours, so I'm pleased with where we're at, but we've still got some work to do.

You mentioned some weaknesses, what do you think you need to work on in the lead up to the Olympics?

I think it's around consistency. We tend to get most of our processes correct 85-90% of the time. You can't afford to have these concentration lapses and make little errors in judgement which result in giving our opponents opportunities to score. If we can get that consistency and minimise the mistakes we make in defence and also in attack, then I think you'll see the results start to go our way.

Do you employ a different strategy for each team depending on their tactics, or do you basically say "We've got a game plan, we've just to go out and play our game."

I'm a coach that really believes that you need to have a game plan that can cope with a variety of strategies that you might come up against. You need to have variety and unpredictability and so we're about progressing that game plan as we go. Of course we research our opposition, and we might have some more specific tactics that are of some use if we're up against certain opponents, but we really focus on our game and progressing it from one game to the next.

You have a number of tournaments before the Olympics. Obviously these games are invaluable, but I suppose that there is the worry that some of your key players could get injured during that time?

Yeah, I think you always run that risk – you can get injured at training. One of our players – Kelly White – had a knee injury at training, and it was basically in a warm up exercise. She's had a knee reconstruction and will miss the Olympic Games. However, I don't think we can be too concerned about injuries. You need to prepare your team correctly and make sure that you're doing everything on and off the pitch to



make sure that they are prepared well in regards to injury prevention, but also having the right amount of recovery so they don't get over trained and they don't get injured from over playing at training.

So how do you think the team will do?

It's really difficult to say categorically that we will go there and win a medal. I'm far more optimistic at this moment than I was 12 months ago. 12 months ago we had a very young group and we had a long way to go. I think we've seen significant developments in the last 12 months and we've achieved results against every nation that's ranked higher than us in the last 6 months. We've achieved victories over all of those nations. That gives us confidence that when we play our best hockey, we can defeat them. However we have a very strong pool at the Olympic Games and we won't be underestimating anybody. We need to know that when we get there, we need to play to 100% of our ability 100% of the time and have that consistency that we're looking for if we're going to end up on the podium.

Who do you see as the major threats?

In our pool, we've got Argentina, New Zealand and Germany who are all ranked above us, so those 3 nations in our pool are the 3 nations that we need to get over before we get to the semi-finals phase. I think probably the two in-form teams of 2012 outside of Argentina are the Netherlands and Great Britain. They are in the other pool and I'd be anticipating that they would be in the semi-finals, leaving any of the 4 nations that I spoke about in our pool to join them.

I think these top 6 nations are all coached by very experienced coaches and they all have quite a number of very experienced players. We're probably bringing the most inexperienced group to the Olympics but to offset that we have some exciting young talent. These players are unpredictable and not many other teams know too much about those players.

There was a bit of controversy when you took over as coach, when you dropped 5 experienced players. You talk about the inexperience of the squad; presumably you felt that it was time to bring in the new blood. How do you think that is working?

Yeah, it's always a difficult one as a coach – I'm not an ageist – I picked the players that I believe are playing the best. I also don't close the door on older players. If they are performing and performing better than the younger players they will be selected. We pick the team that we feel has all the players that will fill out the attributes that we require. In this case some of the younger players have stepped up and were in fact performing better than the older players, and that has continued over the last 18 months. We've just had someone like Jordyn Holzberger who has just recently turned 18, here in NZ playing well, so I think we've got some young ones coming through. In regards to experience, I think we have

enough, we have the likes of Madonna Blyth, Kobie McGurk, Teneal Attard and Casey Eastham, that all were in Beijing. I think they can bring that experience. Not to forget Toni Cronk in the back, and I think they can guide some of these younger players that we have.

I think we'll find that over the next 3-4 years, the depth in Australian hockey will only increase. There are some younger players that are performing well in our training environment in Perth and we have some players around 24 and 25 years of age who are also performing very well in Perth, so we have that depth that we are trying to create and I think you'll find in the next 3-4 years the Hockeyroos team will start to climb up the rankings again.

Quite a lot of the squad are fairly young and I guess that must bring it's own issues and problems. I assume the parents sometimes get involved and give you some advice. How do you handle the parents?

I think certainly, that with the younger athletes that you have contact with the parents. They're quite concerned at times because their daughters or sons are moving from one side of the country to the other at aged 17 or 18 years. One of the things that we have recently done as part of our Athlete Wellbeing Plan and Programme that we have, is to invite the parents, partners and peers to a workshop in Perth. They came over for 3 days to see how we train, what a regular day is like, to see our facilities and our training environment, they witnessed a game and we had a dinner with all of them. We go through how we prepare, what support mechanisms the players have available to them, and I think that certainly helps to build those relationships and put their minds at ease. What I also did over those particular 3 days was to talk about selection, how difficult it is for us and how we are developing the athletes. We want everybody to succeed, but unfortunately only 16 can go to the

Olympic Games. I think when you speak with honesty and show that there's a real process in everything that you do, I think that you begin to develop some trust between the programme and the parents, partners and peers, and that's what we try to do.

For you personally, what would you see as your ultimate achievement?

I think that my goal is to get the Hockeyroos back to the number 1 ranking in the world, and I think that will take some time. However we have our short term goal of achieving a podium performance at the Olympic games and I think to be on the podium you need to be aiming for gold, and if we were able to win the gold at London that would be a crowning achievement in my career. If we were to fall short, it would not change the desire to stay with this team and to guide them back to the top of world hockey and a gold medal at the Rio Olympic Games.

Is there any advice that you have been given or that you could give that you think is crucial to somebody who is considering coaching?

I think that if you want to be a coach, you need to be always attempting to develop yourself and to learn, not only about your sport but also about managing people. When you're managing people at a top level, it's not only the players, but it's the staff that you use as well. To learn about individual personalities and characteristics of people, I think that gone are the days that a "one size fits all" approach. You need to understand the people that you're working with and manage them accordingly, and that's something that I've worked very hard on throughout my career and I'm still trying to understand how to better manage the people that I'm working with and how to get the best out of them, because ultimately that your job as a coach.

Good luck in London.

INTERVIEW WITH HOCKEYROOS STAR ANNA FLANAGAN

At 20, Anna Flanagan is an up and coming star of the Australian women's hockey team – the Hockeyroos. She is a defender and one of the Olympic squad for London. Touchline asked her about her career so far.

Touchline – Why did you take up the sport?

Anna Flanagan - It was a family affair, I played in my sister's team, my dad coached, Mum came along to support. I've always been really involved in sport, and so has the family, so I guess that's where it always came from.

I played a lot of sports. I did little athletics, played tennis, and I think that was really important, while I was growing up. Then when I hit high school I had to choose one. I always knew that sport was what I really wanted to do, and to become successful, so I chose hockey, and it went from there!

You are studying journalism. How do you balance your studies with your hockey?

Definitely very good time management. This 6 months I'm not studying as we're all on full time training, but apart from an Olympic year, most of us are studying or have a job. It is a bit of a balancing act, but I find it really important to have something else other than just hockey. I really enjoy studying so far and enjoy what I'm doing. I've got one more year to go in my degree which is pretty exciting, but definitely good time management.

What's the highlight of your hockey career so far?

It would be the Commonwealth Games in Delhi when we won the medal. I was a late call up into the team, I was just 18, and I got a call from the coach that there had been an injury. So off I went and we won gold! It was an AMAZING experience, a big highlight!



Was it your first trip overseas with the team?

I'd done a couple, but I had made my debut that year, so it was always sort of a dream and it came so quickly. A highlight would be the Village experience, and meeting all the other athletes from the other sports. I think I was walking around star-struck the whole time! The whole experience was amazing.

There was a bit of controversy beforehand that they were so far behind in getting the facilities together. Did you find that the facilities were OK?

Yes, I did. You could definitely see that

they were still trying to get things fixed up when we got there, but in the end it all worked out and I think it added to the experience; what the Village was like, and you could tell how much effort had gone into it, and what they did for us. The people were lovely. I guess there was a lot going on with people threatening to leave the Village, and all that, but it never crossed my mind. It was an amazing opportunity!

What do you think the teams chances are for gold in the Olympics?

I think when we play well we can beat anyone. We've beaten all the teams ahead of us, but we will have to be playing our best hockey for us to win in London.

Who do you see as the major threat?

Holland and Argentina, also at the moment we have a pretty strong rivalry going with New Zealand, so they will definitely be the teams to beat.

Who's the best player that you've played against so far?

Probably Maartje Paumen for Holland. I think she was world player of the year last year – she's pretty amazing.

I presume that playing on the world stage, and playing against top international teams, each of the games is much harder and played to a much higher level?

Yeah, it is. Also the difference in players, Argentina Luciana Aymar - I guess she's the equivalent of Jamie Dwyer in women's hockey - she's also won world player a number of times. People like her, you've grown up watching them and to actually be out there on the field against them – it's an honour to play with them.

What's your ultimate ambition in hockey?

Olympic gold medal, but I want to have a long career and play as long as possible and be as successful as possible. As a team I think we're on that track.

What do you think makes a great defender?

Someone who's consistent and can constantly do the right thing. Who can do the basic skills but not over complicate things, but someone who is really reliable at the back.

Who do you consider are the great defenders at the moment on the world stage?

We have one of them – Kobie McGurk. Pretty much all the central defenders in all the top 10 teams are all very good players and we learn a lot from them, I learn a lot watching other players around me. In women's hockey at the moment there's not a lot of difference between the top teams and I think there's a lot of good defenders out there at the moment.

Where do you draw your inspiration from?

I guess the women from the era before us, who were really successful - around the 2000 sort of Olympic era where the Hockeyroos did so well. I think the team at the moment - we all grew up watching that, and have heard the stories of what those girls achieved, so that's something we all want to get back to and be the successful Hockeyroos that most people know of.

What is the best advice you have ever been given?

I guess I've got a lot over the last year and a bit! Probably just to stay in the moment – growing up I possibly looked too far ahead, and got too far ahead of myself. Just to stay in the moment and enjoy all the little things is probably the best advice that I've got so far.

We wish you all the best.

HOCKEY NEWS

Teams at the Olympics are:

Men - Argentina; Australia; Belgium; Germany; Great Britain; India; Korea; Netherlands; New Zealand; Pakistan; South Africa; Spain

Women - Argentina; Australia; Belgium; China; Germany; Great Britain; Japan; Korea; Netherlands; New Zealand; South Africa; United States

- The Australian men and Argentine women could pull off a unique triple honour if they each win Olympic gold. Both nations are current World Champions and current Champions Trophy holders.

- Natascha Keller made history when she was named Germany's flag bearer for the 2012 Olympic Games in London. Keller is the first-ever hockey player to be given the honour for Germany. The 34 year-old was on the German team that won the Olympic gold medal in 2004 and has played in more than 400 international games.

- The Belgian women have just secured their first ever appearance in the Olympics.

- The first time an Olympic Hockey tournament was played on artificial turf was at the Montreal 1976 Games. A further innovation is occurring for the first time at the London Olympics. It is the first time that hockey pitches have been coloured blue with a pink surrounding area. A yellow ball will be used. It is intended to make the ball more easily visible on television. However, it appears to be a major hit and has been a standout in aerial photographs.

- The Olympics draw massive interest in the US. Now that the US women's team has won its first ever Pan American title, the US audience watching hockey in London will be huge and swell the ranks of the traditional hockey viewing nations.

- The FIH have confirmed seven of the eight teams that will participate in the 2012 Champions Trophy (Men's) to be held December 1-9 in Melbourne, Australia. Already announced were the national teams of Australia, Belgium, Germany, India, Netherlands and New Zealand. The FIH announced that the seventh team in the event will be England.



PAINKILLERS

THE LONG-TERM DANGERS OF MASKING PAIN

By Timothy Mottram

Playing through pain is one of the hallmarks of the greatest sporting champions. Take Dean Jones' epic innings against India in 1987, where he played on through a paralyzing bout of dysentery. This was perhaps his greatest moment as a test international, but it was not his stroke play or the runs he made that made it such an iconic innings. It was his persistence, his grit, his bravery.

The short term risks of putting the body through such extreme punishment are manifest, but the sports science community is becoming increasingly concerned about the ways sports people are breaking through the pain barrier.

The most recent study on pain was produced in conjunction with FIFA ahead of the Euro 2012 Championship of Football. It asserts that during the 2010 World Cup in South Africa,

60.3% of all players took some form of painkiller at some point, while 39% medicated before each match.

Across the pond, things are little different. In 2011, a wide-ranging report found that 52% of professional footballers had used painkillers in the course of their careers. More alarmingly, of those, 63% claim that they were self-medicating. They obtained opiates through coaches, teammates and off the internet without any professional medical advice.

Painkillers come in a variety of forms, from over-the-counter pills like aspirin, to the stronger types such as naproxen. They help to reduce feelings of pain by soothing the inflammation in soft tissue. Generally, these drugs have a positive reputation and many people feel comfortable taking them when they encounter pain.

However, there are many dangers associated with the misuse of painkillers, especially for professional sports people. Painkillers mask pain, but they do not treat it. The potential for increasing the severity of the injury is exacerbated by the fact that the players cannot feel their body warning them to rest and heal.

Hans Geyer, the deputy director of the World Anti-Doping Agency said that this trend could lead to long-term damage. "If you switch off alarm systems that protect your tissues, you can have irreversible destruction of tissue," he said.

Moreover, painkillers are highly addictive. Many abusers start using the drugs to ease their pain, and this later becomes a pre-match tradition. The other side to painkillers is that the Opioids - including morphine, vicodine, codeine and oxycodone - can relax or

create euphoria in the taker. With the constant pressure faced by professional sports people, any method of stress relief must be alluring. In the American study, it was reported that 15% of the players who had misused drugs in their careers were still at it after retirement.

Painkillers have also been associated with a range of health risks to the internal organs. There is evidence that they can damage the heart in certain people, and that they attack the stomach lining in such a way that causes irritation and indigestion. They also make the kidney and liver work much harder. These side effects generally only become pronounced when the medication is used over prolonged periods, but they are clear dangers for addicts.

So despite the obvious dangers of this “epidemic”, as Fifa’s chief medical officer Jiri Dvorak has labeled the use of painkillers, why do players continue to abuse them at such rates?

The pressure to perform and play is the obvious reason. In an interview for the BBC, former German international Jens Nowotny explained that players feel they are letting down the team if they don’t play through pain.

“It’s hard when someone from the club comes and says it’s important that you play and the team and the club needs you - it’s your decision but the pressure from people around - you can’t ignore it,” he said.

“And the doctors are under pressure too.”

This opinion on doctors is shared by Dr. Dvorak.

“The team doctors, most of them they are under pressure between the diagnosis and the appropriate treatment between the pressure to bring the player on the pitch, if they take them too long out they might be out of a job,” said Dr. Dvorak.

Players can also be compelled to play on because if they miss a match, they may not get back into the side.

There is no simple answer to this problem in sport. It appears to be endemic, and Dr. Dvorak notes that younger players copy the older ones by taking painkillers preventatively and without medical approval.

“Football has to wake up because the youngsters are mimicking the older ones. We have NSAID abuse in the under-17 age competitions by something like 16 to 19 per cent of players. This for me is even more alarming,” he said.

Perhaps with greater insight into the long-term consequences of painkiller abuse the sports community can arrest this growing trend.



INSTITUTE OF SPORT, EXERCISE AND ACTIVE LIVING

The Institute of Sport, Exercise and Active Living is headquartered at Victoria University’s new \$70 million sport research facility in Melbourne, Australia. ISEAL has access to the most comprehensive range of sport, exercise science and active living research facilities in the southern hemisphere. Our research permeates global sporting events like the Olympics, and akin to the athletes we work with, we never set limitations on the scope or impact we can have on elite sporting performance.

We are also at the forefront of research in active living, promoting and engaging individuals along with communities in more active lifestyles, and make significant contributions to exercise science worldwide beyond the sporting landscape. Within exercise science ISEAL experts lead the field when it comes to understanding the relationships between exercise, physical activity, and chronic disease prevention.

Locally we work in the west of Melbourne, nationally with various organisations including the AFL in addition to our strategic partnership with the Australian Sports Commission and Australian Institute of Sport, and internationally with partners including ASPIRE in Qatar.

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CASHING IN AT THE OLYMPICS



Photo By Matt Deegan

The London Olympic Stadium - Finished and ready to host the games. But the competition between brands at the Olympics is well underway.

With the lolly scramble at the Olympics already well and truly underway, many people inside and outside sport are asking about the impact corporate sponsorship has had on the games. It seems that every week there is a controversy surrounding the games, and many of them stem from sponsorship deals, writes **TIMOTHY MOTTRAM**

With news about Adidas using Cambodian sweatshops to pump out promotional clothes, the question of ethics and sponsorship has become even more sharply drawn.

In a report by the Daily Mail, the sportswear giant is paying workers in Cambodia just under 15 dollars a week. They work in squalid conditions for 10-hour days, six days a week.

According to the report, Adidas has pumped over 100 million pounds into the games, but what amounts to a humans' right abuse has observers of the game worried. But they are not the only sponsor charged with being unethical and therefore being a poor choice for a sporting exhibition that

extolls the values of fair play.

Dow Chemical Company is a major investor in the games but has come under fire for their role in the Bhopal chemical plant disaster in 1984. Opponents of the company claim that victims, said to number in the thousands, are still not being properly compensated after years of legal wrangles.

Amnesty International has been lobbying to no avail to have Dow removed as an official sponsor. However, Dow have hit back by claiming that they were not running the Bhopal plant when poisonous gases escaped and killed over 3000 people.

"Bhopal was a terrible tragedy that none of us will ever forget. However, it is important to note that Dow never owned or operated the plant, which today is under the control of the Madhya Pradesh state government," read a statement on the website.

The organizing committee for the London Games, LOCOG, claims to audit all corporate sponsors to ensure that any company involved with the games is not violating the values of the Olympics. Despite this, companies with charges of unethical behaviour are still welcomed as sponsors.

In an interview with the Guardian, Jacques Rogge, the IOC president said, "Before accepting a new company, they

are vetted in detail by independent advisers. We look at the record of the company and in the case of Dow we asked their view on Bhopal. We knew about it and we thought Dow was not responsible,”

Aside from Dow, Rio Tinto and BP are putting huge money into the games and have been charged with behaving unethically in their businesses. “Rio Tinto is involved in environmental and human rights controversies all over the world, but the pollution is so bad near the mines in Utah where Rio Tinto has extracted the metals for the Olympic medals that local physicians have linked it to premature deaths,” claimed Richard Solly of the London Mining Network.

Yet another company whose long-running support for the games is under scrutiny is McDonald’s. For a sporting competition that focuses on health and well-being, for a fast food provider to be a major sponsor has some observers scratching their heads.

Wales’ top doctor, Dr Tony Jewell, responded to a new survey on Britain’s rising obesity levels by hitting out at McDonald’s and Coca-Cola’s heavy involvement with the London Games. He claims that the fast food giants should have no place in a festival that encourages sporting excellence and health.

“Top athletes do not succeed by consuming burgers, chips and cola, or binge drinking. Like smoking, they do nothing to improve sporting prowess, and consumed regularly, contribute to obesity and related health problems,” he said.

“There is much to do to tackle obesity, and stating clearly that fast food has no place in sport, sends a clear message.”

Even Rogge is reported to have expressed concern in the past over McDonald’s involvement in the games. According to the head of the IOC, he took them on and they responded. “We’ve said to them: ‘Listen, there is an issue in terms of the growing trend on obesity. What are you going to do about that?’”

What McDonald’s did was point out the new McCafe menu, while Coke showed him their zero-calorie drinks. That was enough to convince him to allow their continued sponsorship of the games.



Photo By Luca Fredian

The Bhopal memorial for those killed and disabled by the 1984 toxic gas release. While Dow Chemical Company is a major investor in the games, it faces criticisms that it has still not properly compensated those people affected.



McDonald’s tried to establish a monopoly on chips in the Olympic Village, only allowing chips to be sold with fish.

But McDonald’s has stirred further controversy in recent weeks by trying to establish a monopoly on chip sales in the Olympic village. McDonald’s caused outrage when it pressed the other catering companies to only serve chips with fish, ensuring that they are the only company selling chips.

The move prompted a twitter campaign which was as humorous as it was outraged. Observers saw the move as just another example of how the games had been high-jacked by big business. McDonald’s climbed down quickly from the ‘Dictatorchip’, a spokesman from LOCOG claiming, “It’s sorted. We have spoken to McDonald’s about it.”

With the games estimated to cost around 3.3 billion pounds, it is hard to see the IOC turning away anyone willing to pay. However, the community concerns about some of those companies are clear. The IOC should take note.

TV NOW

(OR RATHER “TV NOT NOW”)

**THE LATEST FROM AUSTRALIA AND
THE UK POSITION ON TIME-SHIFTING**



In a victory for rights owners, the National Rugby League (NRL), the Australian Football League (AFL) and the Telstra Corporation (Telstra) have succeeded in their appeal to the Full Federal Court of Australia against Singtel Optus (Optus).

BACKGROUND

Optus, a leading provider of mobile phones and competitor to Telstra, devised a subscription service called TV Now, which permitted its subscribers to have free to air television programmes recorded as and when the programmes were broadcast and then play them back at a later time on a compatible Optus mobile device.

Optus designed the TV Now recording system to ensure that the recording of programmes was initiated by subscribers. If a user wished to record a programme, the user would initiate the recording by clicking the “record” button for that programme in the service’s electronic program guide. The system would then record the program in four different formats (i.e. one each for PCs, Apple, Android, and 3G devices) which resulted in four copies of each broadcast for every user of the TV Now service who clicked “record”. All four copies were stored in Optus’ data centre which allowed subscribers to view the recording at a later time and on the particular device of

their choice. Subscribers had a 30 day period following the original broadcast in which to view the recording.

The AFL and NRL claimed the TV Now service infringed their copyright in the broadcasts of the games in their respective leagues. Both the AFL and NRL granted exclusive licences to Telstra (Optus’ main competitor in the mobile communications market) to exploit the television broadcast of their games. The TV Now service clearly undermined the value of Telstra’s rights deals by providing an unauthorised on-demand “replay package”.

In its defence, Optus argued that there was no copyright infringement since the copying was done by the consumer and not Optus. Accordingly, the TV Now system complied with the ‘time shifting’ exception under Section 111 of the Australian Copyright Act 1968 (Cth) (the Copyright Act). Section 111 permits a person to make a recording of a broadcast, solely for private and domestic use, so that he or she can watch the programme at a later, more convenient time.

FIRST INSTANCE

At first instance, a single judge of the Federal Court, Justice Rares, agreed with Optus and held that the TV Now system did not infringe copyright. Even though Optus was providing the

technology that facilitated the recording, Justice Rares held that it was ultimately the subscribers, not Optus, who made the recordings when they initiated the recording by clicking the ‘record’ button on their mobile devices. Justice Rares accepted that subscribers made the recordings for personal use and therefore would be entitled to rely on the time shifting exception in section 111.

In short, Justice Rares considered that the TV Now system was no different from a person using a PVR at home to record a program and view it at a later, more convenient time. Consequently neither the NRL, AFL or Telstra had any basis on which to prevent Optus from undermining their rights, so an appeal was inevitable.

QUESTIONS TO DECIDE

On appeal, the Full Federal Court had two questions to consider:

1. When subscribers used the TV Now system to record a program, who, for the purposes of the Copyright Act, was the maker of the copy?
2. If Optus’ act in making such a copy would otherwise constitute an infringement of the copyright of the AFL, NRL or Telstra, could Optus rely on the “time shifting” exception under section 111 of the Copyright Act?

WHAT DID THE COURT DECIDE?

On the first question, the full Federal Court formed alternate views as to who was the maker of the recording. It held that that 'maker' of the copy was either Optus acting alone or, its preferred view, the copy was made by Optus and the subscriber jointly.

Given Optus' considerable investment in its TV Now service, the Court found that, not only had Optus solicited subscribers, it had also designed and maintained a sophisticated system that was the "main performer" in making recordings of programs. Because of this, and the nature of the contractual arrangements with its subscribers, the Court accepted that Optus must either be the maker of the copies acting on its own or, since the actual recordings were instigated by the subscriber, Optus and its subscribers could both be responsible for making the copies.

The Court was not persuaded that Optus was merely making the TV Now service available to users so that users could copy a broadcast and view it at a later time. Rather, the Court found that Optus, in offering the TV Now service, was more akin to 'a commercial photocopier which copies copyright material provided to it for copying by it'.

On the second question, having found that Optus was either the sole maker or joint maker of the recorded program, Optus could not rely on the time shifting exception. There was nothing in the Copyright Act to suggest that this defence was intended to cover commercial copying on behalf of individuals, even if the individuals only use the copies for domestic purposes.

IMPLICATIONS OF THE DECISION

In arriving at its conclusion, the Federal Court acknowledged that its interpretation of the Copyright Act could be viewed as inconsistent with

the principle of technological neutrality. However, the Court decided that it was not its role to interpret the Copyright Act in order 'to secure an assumed legislative desire for such neutrality'.

As a final remark, the Court accepted 'that different relationships and differing technologies may well yield different conclusions to the "who makes the copy?" question'.

The implications of this comment are far reaching. While this decision prevents Optus from providing the TV Now service in its current form, it remains open for Optus, and other service providers, to devise different technology to achieve the same result for consumers without infringing the Copyright Act. This means that the victory for the AFL, the NRL and the other rights holders may be short lived.

Optus has indicated that it will appeal to the High Court of Australia and subject to the High Court accepting that there are sufficient grounds, it remains to be seen if it will endorse the decision of the lower courts.

THE UK POSITION

The legal position in the UK is similar to that in Australia. The question of "who makes the copy" will, ultimately, be a question of fact. It is perhaps inevitable that technological and contractual arrangements will be devised such that a court will determine that that the domestic user is the person effecting the copying, rather than the service provider.

However, in order to escape performing an infringing act, the domestic user must fall within the UK version of the time-shifting defence. The UK defence is worded more narrowly than its Australian equivalent. In addition to the copy having to be for private and domestic use, it must also be made "in domestic premises". This would seem to require some form of PVR in the user's home, which is obviously

something that those in the position of Optus are currently seeking to avoid and indeed replace.

In many ways, this whole issue is entirely analogous to the issues faced in the online space, all the way back to the infringements by Napster, EasyInternetCafe and now Newzbin, Pirate Bay and those ISPs that allow access to these sites. It is becoming increasingly clear that where individual users are committing infringing acts, and where the large scale of those acts would not be possible without a central hub which is clearly designed or operated in a way to enable or facilitate copyright infringement, UK courts are willing to intervene at each stage of the chain, from user, to the operator of the "hub" right through to those in the position of the ISP hosting the hub.

So, what does this mean for the service provider in the UK? At present, therefore, it seems as if the cards are stacked firmly against any potential provider of a UK-based equivalent to TV Now. That said, it will be interesting to monitor the impact of the Government-initiated, independent review of how the current IP framework supports growth and innovation. This review (led by Professor Ian Hargreaves) specifically advocated reconsidering the private copying defences - the UK Government has recently concluded a consultation process. As the TV Now case in Australia has demonstrated, this issue is one that could have serious consequences for rights holders and authorised broadcasters alike- best to keep a watching brief.

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SMART JOCKS: CHESS BOXING

By Timothy Mottram



Forget the image of chess players being weedy, bespectacled nerds hunched over a board for hours at a time. Rather, insert a pair of sweaty, ripped boxers battling it out between rounds of fierce punching.

Chess-boxing takes two very different worlds and smashes them together into a fascinating and fast growing sport.

The concept is simple. This is a sport that does what it says on the tin. The match commences with a four-minute chess round. One reason for the boxing coming second is the disorientation that inevitably follows heavy blows to the head.

This opening round of chess is followed by a three-minute round of boxing. Then it is gloves off for four more minutes of chess. And so on, until the end of the match. The winner is decided by knockout, checkmate or by judges' decision.

On the surface, this hybrid sport seems full of paradox. But dig deeper and the parallel lines of the two competitions become clearer. This is no gimmick, as the growing international interest in the sport takes hold.

The World Chess Boxing Organisation boasts clubs in Berlin, London and Sofia and is growing, as you would expect,

aggressively and strategically. WCBO spokesman Andreas Dilschneider says it will become “the biathlon of the 21st century.”

Explaining the complimentary nature of the sports, he says, “If you don't know anything about chess-boxing it might seem a strange combination, but if you think about it, in both sports there are many parallels. Just as you can be knocked out in boxing, you can be in front in chess for 10 or 20 moves. You can build up a very strong position. You can be a very good player. But if for one moment you are not aware, and you make one bad move, the whole game is over.”

Competitors must be adroit in both chess and boxing, so there is no room for a professional boxer who is going to rely on beating his opponent to pulp before he can move knight to D5. To enter the sport, competitors must have a Class A level as a chess player. One of the highest profile chess-boxers, Tihomir Atanassov Dovramadjiev, has a rating of over 2300 and has won many chess championships.

The sport was brought into the public arena by Dutch artist Iepe Rubingh in 2003. The roots of the sport are, unsurprisingly, to be found in a futuristic comic book by Yugoslavian artist Enki Bilal, which features a 12 round boxing match followed by a five-hour chess match.

Rubingh found the sheer epic scale of the original concept hard to replicate, and tweaked the system to the one used today. While sport is the focus of his vision, he claims that it also makes an artistic point.

“Chess boxing breaks certain rules,” explains the 31-year-old Rubingh. “We

tend to divide everything into different worlds, but in my opinion worlds are much more connected than people see them at first. Chess boxing breaks through this habit.”

Placing himself at the centre of the sport, he took the name Iepe the Joker and faced off against Luis the Lawyer in the first ever chess-boxing middle weight championship. Rubingh consequently won that match, though it was a close run thing.

“I had a pretty terrible position on the board so in the last round I tried to knock him out,” he recalls. “He only just managed to stay on his feet. The bell went and he put his hands up in the air but he couldn’t find his corner. He was really dizzy but we still had to play the final round of chess. There was a clear win for him, but he just couldn’t figure out the right moves.”

Since those humble beginnings, the sport has continued to attract spectators and participants. Tournaments are held regularly, though according to Tom Woolgar – who brought the sport

to Britain in 2008 - the audiences can have varying degrees of interest.

“Some people look away during the boxing, and some people look away during the chess, depending on what your background is, I suppose,” Mr Woolgar said.

Chess-boxing’s growing popularity in many ways reflects changing views on what it is to be a man.

The divide between pastimes that require the grey matter to flare and those that are about testosterone-fueled aggression are being blurred. As we learn more about how the brain is functioning during sport, we see that instinct is only part of the picture. Decisions are being made at turbo-fast speeds by men traditionally seen as mouth-breathing morons.

Chess-boxing is one natural progression as we come to see the blurring of the intellectual and the physical.



World Sports News Roundup



USA

NFL DISPUTE WITH REFEREES CONTINUES

While it doesn't generate the kind of heat the lockout of players did last summer, the NFL's current stalemate in negotiations with its officials is every bit as ugly.

"The lockout seems to be their negotiating strategy with everybody," Michael C. Arnold, the NFLRA's (NFL Referees Association) legal counsel and lead negotiator said.

Arnold said that since talks broke off 3rd June, they've heard nothing from the league. In the meantime, the NFL is preparing to pick crews of replacement officials from retired officials and those who have called lower levels, as those who do Division I football aren't under consideration. The NFL has held several of what NFLRA refers to as "scab clinics".

"The folks who are going to be on the field are not of NFL quality that coaches, fans and players are used to seeing," said NFLRA President Scott Green.

While many fans and players treat this lockout with little more than a shrug, officials say their absence will be significant as the league tries to stress player safety.

Longtime official Ed Hochuli said players are aware of his presence when he's on the field, and believes they'll push the envelope on rules infractions if they know replacement officials are on the field.

At issue, as you might imagine, is the economic proposals in play. One primary point of contention is pension benefits, which they contend the league wants to "freeze, then end," Arnold said.

Arnold described the gulf between the two sides as small, saying over the course of a five-year agreement, it's as little as \$100,000 per team, per year. That's another way of saying \$16 million. (source Pro Football Talk)



England

LONDON NAMED ULTIMATE SPORTS CITY

London has won the coveted title SportBusiness Ultimate Sports City of 2012, snatching victory from former three times winner Melbourne.

The highly prestigious accolade was awarded by the sports business publication SportsBusiness International at the annual SportAccord Convention in Quebec.

The win marks the first time that London has taken home the 'Gold' top position, having come third in the 2010 table. The capital beat off other international sporting destinations including Melbourne which came second, Sydney which was third and New York and Manchester all within the top five.

Over 25 finalist cities were ranked by the number of annual sports events hosted or secured between 2006 and 2014, plus additional criteria including transport, government support, public interest and quality of life. Other cities in the twenty-five include, Singapore, Berlin, Vancouver, Paris, Istanbul, Rio de Janeiro, Glasgow, Doha, Madrid, Moscow and Budapest.

Over the last decade, London has strengthened its position as a sports destination to become recognised globally as a leading city for major sporting events, having already won the bid to host major sporting events post-2012 including the 2017 IAAF World Athletics Championships, 2013 UEFA Champions League Final, the 2013 ITU World Championship Series Triathlon Grand Final, the 2015 Canoe Slalom World Championships and a brand new world class two day festival of cycling which will take place in the summer of 2013.

As well as the Olympic related events, London boasts a range of regular major sporting events such as the Wimbledon Championships, the FA Cup Final and The London Marathon which have for years captured the imagination of the world.



India

INDIA RESUMES TEST CRICKET AGAINST PAKISTAN

One of sport's most celebrated rivalries is set to resume after the Board of Control for Cricket in India (BCCI) reopened bilateral ties with its Pakistani counterpart by inviting Pakistan to tour the country later this year.

The last series between the two teams saw Pakistan tour India in 2007, although India did defeat Pakistan in last year's World Cup semi-final in Mohali. Bilateral cricket between the neighbouring countries was ended after the 2008 Mumbai terror attacks in which 166 people were killed. India blamed Pakistan-based militants for the incident.

Pakistan cricket has suffered further with no international games having been played in the country since the 2009 Lahore attack on the Sri Lankan national team.

BCCI vice-president Rajeev Shukla said Pakistan will be invited to play three one-day internationals (ODIs) and two Twenty20 internationals.

World Sports News Roundup



Qatar

BIN HAMMAM SUBJECT TO FRESH ALLEGATIONS

Fresh allegations of financial wrongdoing have been made against Mohamed bin Hammam after the Asian Football Confederation (AFC) suspended its former president earlier this month.

Bin Hammam is currently fighting against his life ban from world football issued by FIFA last year, but the AFC announced a new 30-day suspension. Asian football's governing body said the Qatari has been suspended for "events surrounding the negotiation and execution of certain contracts and with the financial transactions made in and out of AFC bank accounts and his personal account during the tenure of Mr. Bin Hammam's presidency." The AFC added it will make no additional comment on the matter until further notice.

Bin Hammam is appealing to the Court of Arbitration for Sport (CAS) against his life ban from world football for his alleged involvement in last year's FIFA presidential election scandal, with a verdict due in the coming weeks. Bin Hammam was handed his FIFA ban in July 2011 for allegedly paying bribes totalling approximately US\$1 million to Caribbean Football Union officials at a meeting in Trinidad. Witnesses testified to FIFA that cash gifts of \$40,000 were handed over after a presentation by Bin Hammam, who was running against Sepp Blatter for the FIFA presidency. He has consistently denied any wrongdoing.



England

2017 LACROSSE WOMEN'S WORLD CUP TO BE HELD IN ENGLAND

The Federation of International Lacrosse (FIL) has announced that England will host the 2017 Women's World Cup.

The quadrennial tournament takes place for the 10th time in 2017 and will return to England, which hosted the inaugural event in 1982. The University of Surrey, Guildford, will house all tournament participants while Surrey Sports Park will provide the competition pitches and other facilities.

Shelley Maher, women's director of the FIL, said: "We are extremely pleased to accept England's bid to host the 2017 Women's World Cup. What a fantastic opportunity to stage the 10th World Cup in the country that hosted the inaugural event. The ELA (English Lacrosse Association) has put together an excellent plan to host this milestone tournament."

The Czech Lacrosse Union hosted the 2009 World Cup in Prague, while the next edition of the competition will travel to the Canadian city of Oshawa in 2013.



Chile

CHILE TO HOST JUNIOR WORLD RUGBY TROPHY

The International Rugby Board (IRB) has furthered its quest to develop the sport in Asia and South America by announcing that Chile and Hong Kong will host the Junior World Rugby Trophy in 2013 and 2014 respectively.

The IRB has claimed unprecedented interest in hosting the two editions of its second tier age grade tournament. Chile staged the inaugural edition of the Junior World Trophy in 2008, with the event set to return to the country after a record-breaking 2012 tournament hosted by USA Rugby in Salt Lake City in June.

South America is one of rugby's fastest-growing regions, with a 25% increase in the playing population since the inaugural Junior World Trophy. Hong Kong has successfully hosted the Cathay Pacific/HSBC Hong Kong Sevens as part of the HSBC Sevens World Series for over a decade as well as HSBC Asian 5 Nations Top 5 matches.



Scotland

RANGERS START IN DIVISION 3

Rangers Football Club will begin its new life in the Scottish Third Division after the Scottish Football League's (SFL) member clubs voted against allowing it to enter the First Division.

The Glasgow giant had to apply for membership of the SFL after its application to re-enter the Scottish Premier League (SPL) was rejected earlier this month. SPL chief executive Neil Doncaster and his Scottish Football Association (SFA) counterpart, Stewart Regan, had both warned of the serious financial consequences for the Scottish game if Rangers were not permitted to enter the First Division - the second tier of Scottish football. However, 25 of the 30 clubs ultimately voted in favour of Rangers instead being admitted to the Third Division.

Rangers entered administration in February following legal action by the UK Revenue and Customs (HMRC) over alleged non-payment of around £9 million in PAYE and VAT tax. The club owed up to £134 million to unsecured creditors and English businessman Charles Green last month completed his takeover in a £5.5 million newco acquisition that will see the liquidation of Rangers in its original guise.

Green stated Rangers would not challenge the decision and is focused on playing a "constructive part" in the Third Division.

SAFEGUARDING YOUR SELECTION PROCESSES

By James McIntyre

In the lead up to any international sporting event, there is inevitably some controversy surrounding the selection of athletes to a national team. It is never more evident than in an Olympic year and understandably so. For most sports, there is no higher honour for athletes than to compete at an Olympic Games - it is the pinnacle of one's sporting career. Competition for places on national teams is fierce. It is predictable that the decisions made by sporting associations are often called into question by the athletes themselves, the media and the public. While a sporting association will often be justified in its choices, it can be hard for participants to understand how such a decision could be reached. This can lead to an appeal by the athlete against their non-selection.

While much of the media attention of late has been directed towards Olympic selection policies, it is not a new or unique source of controversy. Selection procedures in some form are implemented at local, regional and state level, in addition to schools, where for example, selection for senior teams involves a high level of prestige. In an increasingly litigious society, it is hardly surprising that the vigour applied to appeals against non-selection at the elite level has the potential to trickle down to discontent with selection procedures practiced at the junior level.

It is a well-established practice among national sporting organisations to implement selection criteria to guide the selectors in selecting athletes for a national team. To assist sporting associations in developing their selection criteria, the Australian Sport

Commission (ASC) has published a document entitled 'Getting it Right - Guidelines for Selection'. While these guidelines are pitched at an elite level, sporting associations at all levels would be wise to adopt similar practices for team selection. For the purposes of this article, there are two main steps a sporting association should follow in relation to their selection criteria, which can be broadly stated as:

1. 'Documenting It'
2. 'Applying It'

'DOCUMENTING IT'

On the face of it, this process seems relatively straightforward - write it down! However, there is more to it. Sporting Associations need to ensure that the criteria are not only written down, but made available to all relevant athletes, coaches, officials. In addition to providing these persons with a copy of the selection criteria, most sporting associations make their selection criteria publicly available by publishing it on their websites, which is a simple and cost effective way of circulating such information.

This requirement also imposes an obligation on sporting associations to notify athletes (and other relevant persons) of any amendments made to the selection criteria in a timely manner. While this could arguably be achieved by publishing changes on the website, or issuing a press release, it might be more astute for sporting organisations to develop a system to let athletes know of any amendments directly. A bulk email list would be advisable for such

a purpose and could easily be compiled from information provided on athlete registration forms.

Also on the point of amendments, it is best, if possible, to avoid retrospective amendment of the selection criteria - such a practice can lead to an impression that the selection criteria were amended to benefit a particular athlete or athletes, who would not have otherwise fulfilled the selection criteria (even if the amendment theoretically applies to all athletes). Such amendments leave an organisation vulnerable to claims of lack of transparency on the part of the selection committee and will lead to discontent among athletes (and consequently, a heightened risk of complaints regarding selection choices).

There is also no utility in developing or publishing a selection criteria at short notice - athletes could never hope to comply with the requirements set



Nina Heglund was one of the first 13 players ever to be selected to represent Team GB in handball at the Olympics

out and they could reasonably pursue an argument that they were not given a reasonable opportunity to fulfil the selection criteria. Sporting associations need to ensure selection criteria are published well in advance of the relevant event - the ASC recommends a period of at least 12 months.

As to what should be included in the selection policy, the possibilities are endless. National associations usually refer to their international associations (i.e. FINA for swimming, IAAF for Athletics etc) to guide them in setting the relevant performance standards and national quotas for selection. While other sporting associations may not need to set their performance expectations at such a high level, at the very least, selection criteria must broadly include:

- The process for selection.
- The criteria and how this will be applied.
- Who is responsible for selection.
- Relevant dates and events to which the selection criteria will be applied (including deadlines for meeting the criteria).
- Who to contact in relation to the selection criteria.
- The appeals process.

‘APPLYING IT’

Even the best written selection criteria will be useless in reducing appeals if they are not applied, or seen to be applied, correctly.

To apply the selection criteria in a manner which will reduce instances of appeals, the selection committee must apply the selection criteria as they are published. This means the selectors must consider those factors they say they will consider. It also means that selectors must not have regard to inappropriate factors (for example: family or social connections, media comment or monetary backing/

sponsorship).

The selection criteria must be applied by the selection committee in a consistent manner, and must be applied in good faith. This means that the selection committee cannot act with bias (indeed if the selection committee does act with bias, it is a breach of natural justice and grounds for an appeal).

To assist in avoiding appeals, the selection committee must be transparent about the selection process - it must be clear not only what they are considering but also that what they are considering aligns with the selection criteria. Uncertainty or ambiguity opens the door to allegations that improper factors have been considered or the rules have been changed to assist certain athletes. Even in instances where the selection criteria have been strictly adhered to, a lack of transparency will lead to a greater number of appeals (albeit it usually unsuccessful for the athlete).

Arguably, one of the biggest contributors to athlete discontent with the selection process is the use of discretion by the selectors. Provided the written selection criteria permits the use of the selectors discretion, it is unlikely an appeal which relies solely on a ground relating to the selector’s exercise of discretion (in the absence of bias) will succeed. While this is the hardest type of appeal to prevent, given the subjective nature of discretionary considerations, instances might be reduced if the selection committee is transparent in its reasons for selecting a certain athlete over others.

‘APPEALS’

While the sporting selection process, at the elite level, often explicitly excludes recourse to legal action through state or federal courts, it should not be forgotten that the selection process must adhere to the principles of natural justice, a principle which underpins most legal systems. Natural justice, put simply,

means the selection process must be fair. In order to protect the integrity of the selection process and ensure selections are made in accordance with natural justice, selection criteria must provide a process to appeal selection decisions. For example, to appeal against non-selection for the Olympics, athletes first appeal to the Selection Appeals Tribunal and then have the option of further appealing to the Court of Arbitration for Sport. In both instances, legal representatives are usually engaged to represent the parties and one or more legal practitioners are called upon to decide the matter. Similar measures would be extreme at junior levels of competition. Nevertheless, sporting associations would be wise to implement a process which acts as a ‘check and balance’ to ensure selectors adhere to the selection criteria and act in accordance with the principles of natural justice.

SUMMARY

It is impossible to prevent appeals entirely - nor should a sporting association want to, no matter how inconvenient they are. They act as an important tool in ensuring selection committees are held accountable for their decisions and act as a check to ensure the selection criteria is being followed properly.

While elite level sporting organisations are more familiar with the selection procedures as recommended by the ASC, sporting organisations at every level are called upon to make selection decisions and would be wise to adopt clear-cut and transparent selection procedures. Clarity about what is expected and how an athlete will be evaluated for their selection in a sporting team, accompanied by transparency in the application of those factors reduces the likelihood of athlete discontent and appeals or complaints against the selection process and their outcomes.

James McIntyre is a special counsel with DLA Piper in Australia.



Photo By Eric Langley

MIXED MARTIAL ARTS: WHERE NEXT?

By Timothy Mottram

It used to be said that boxing was the sport that all others aspired to. While football and hockey soften their message of violence with their goal being, well, goals (or tries, or touchdowns), boxing shows us what we really want to see. Two men in peak physical condition, punching each other in the ultimate quest to knock the other one unconscious.

This is competition at its rawest.

Mixed Martial Arts seems to be taking things a step further. The Queensbury Rules, framed in the 1860s to govern boxing, are from a different world. MMA allows for fighting moves that would make the late Marquess turn in his grave. With the rise of MMA, boxing is looking nervously over its shoulder.

Under the aegis of the Ultimate Fighting Championship, MMA has become a global phenomenon. From a sport that was not a blip on the sporting radar 20 years ago, now pay-per-view revenue and sponsorship deals are flooding the sport with cash. But like with all up-and-comers, there are

plenty of questions being raised by the establishment.

One of the earliest but most enduring questions was how it compared with boxing. At first glance, MMA allows its fighters more latitude to bring down their opponent. The rules are looser, the gloves thinner, and apart from strategic attacks on the groin, pretty much anything goes.

For the UFC to keep growing, at least some of its new fans will have to be former boxing enthusiasts. To a certain extent, they are competing for the same fans base. Boxing is still in the ascendancy. Crucially, supporters of boxing cite the difference between paydays.

ESPN Magazine claims that Brock Lesnar was the highest paid MMA fighter in 2010, bringing in a very solid 5.3 million dollars. Boxing's golden boy, Manny Pacquiao, nailed a staggering 32 million in the same time. The argument runs like this: if the purses in boxing are considerably bigger, then the considerably better athletes will be drawn to the sport.

The counter argument is that because the UFC is a single organization, they can pay even their lowest paid performers around half a million dollars every year, unlike boxers.

There are other points to be made as well. Boxing is tainted for so many reasons. The questionable judging, the ridiculously uneven matches designed to boost a future champion's record rather than deliver a spectacle for fans are just two examples. In a way, the UFC can claim to be much more transparent and has fewer vested interests. These factors enable the UFC to put on more consistent fights.

But what about in the ring? Boxing fans will argue that few to none of the current MMA fighters could square up against an elite boxer like Pacquiao. They would simply get annihilated. MMA fighters can't strike like a boxer. And for all that supporters of MMA talk about the dangers of take downs, with a bit of training the best boxers could be made ready to deal with that particular danger.

The question of which sport is better is effectively moot. It is like trying to put together an all time best starting IX: it fills the time at the pub but it is pointless. The question that really matters for the future of both sports is which one the 14-year-old kid entering a gym for the first time will choose.

It doesn't matter whether boxers are paid more or if they are better athletes now. If MMA keeps getting the numbers it is getting, keeps growing the way it is growing, then the most talented young people will be pulling on the thinner gloves of MMA and practising their take downs instead of combinations.

The second question that could affect the growth of MMA is the latent danger of the sport. It does not take an expert in physics or medicine to see that MMA is a very dangerous sport. Over time, the sport has become safer due to changing rules, but when the aim of a sport is to effectively knock someone into next year, there are bound to be some risks.

2012'S HIGHEST PAID SPORTSPEOPLE

Boxing fans argue that their sport dominates MMA partly because boxers make more money. According to this list of 2012's top earners, boxers are still pulling in the big money...

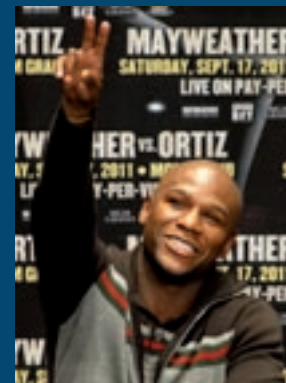


Photo By Victor Ortiz

Floyd Mayweather

1. Floyd Mayweather: \$85 million
2. Manny Pacquiao: \$62 million
3. Tiger Woods: \$59.4 million
4. LeBron James: \$53 million
5. Roger Federer: \$52.7 million
6. Kobe Bryant: \$52.3 million
7. Phil Mickelson: \$47.8 million
8. David Beckham: \$46 million
9. Cristiano Ronaldo: \$42.5 million
10. Peyton Manning: \$42.4 million



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HAVE YOUR OFFICE HOLDERS BEEN LEFT HOLDING THE LIABILITY BALL?

JAMES MCINTYRE, SPECIAL COUNSEL WITH DLA PIPER AUSTRALIA AND **KRISTIE SWAINSTON**, GRADUATE LAWYER, INVESTIGATE THE POTENTIAL FOR ASSOCIATION OFFICE HOLDERS TO BE HELD LEGALLY RESPONSIBLE WHEN INJURIES OCCUR ON THE SPORTING FIELD.

'Through Legal Eyes' (Touchline – Issue 12) touched upon the potential liability exposure sporting clubs may face when individuals suffer personal injury while participating in sporting events at the club's premises. If the event giving rise to the injury was being conducted by an unincorporated association, which does not have a distinct legal identity separate from its members, the association's office holders could potentially be exposed to personal liability to the injured claimant.

Whilst it is impossible to completely immunise an unincorporated association's office bearers from exposure to liability, there are some steps that such associations can take to manage the risk associated with such claims.

IDENTIFYING THE RISKS

The critical factor that may give rise to liability is the extent of control which office bearers could exercise over the event or activity which led to the claimant's injury. The importance of immediate control over the event is illustrated in the following decisions.

POTENTIAL EXPOSURE TO NON-MEMBERS

In *Agar v Hyde* (2000) HCA 41 the High Court of Australia found that members of the International Rugby Football Board which was responsible for formulating rugby union rules did not exercise the necessary level of control to give rise to a duty of care to a plaintiff



A fixed base at Junee Brewers home field was likely to have contributed to injury.

who had suffered catastrophic injuries during a rugby union match.

In *Haynes v Prowse* (2001) NSWCA 328, the plaintiff was a baseball player who broke his leg while attempting to reach second base during a game between his team and the Junee Brewers at the Brewers' home field. The Wagga Wagga District Baseball Association was responsible for the administration, playing and control of baseball games between member clubs. Members of the Junee Brewers Baseball Club had been responsible for positioning the bases on the field and had securely fixed the bases to the ground rather than allowing them some degree of movement which might have avoided the plaintiff's injury. The plaintiff commenced proceedings against the office bearers of the Association and the Junee Brewers Baseball Club.

The plaintiff succeeded at trial and the Court of Appeal dismissed the defendants' appeal against the trial judge's findings of liability. The Court of

Appeal noted that the decision in *Agar* was relevant to the potential exposure of the District Baseball Association but noted that this point had not been raised at trial.

In light of the decision in *Agar*, office bearers of unincorporated associations responsible for administrative activities such as formulating rules are likely to be too far removed from the immediate control of contests to give rise to a duty of care to participants. However, office bearers of unincorporated associations responsible for hosting other teams (such as the Junee Brewers in *Haynes*) could be exposed to liability to visiting players for injuries arising from the state of playing surfaces or, in the case of *Haynes*, the manner in which equipment is positioned on the field.

LIABILITY TO THIRD PARTIES

In *Hrybnyuk v Mazur* (2004) NSWCA 374 the plaintiff was a member of an unincorporated association who sustained extensive injuries while

Photo By Brandonrush

assisting in the demolition of a shed at the rear of the club's premises. Mr Hrybnyuk commenced proceedings against Mr Mazur on the basis that, as president of the Russian Club, he owed him a duty of care in relation to the demolition work in which he had requested Mr Hrybnyuk's assistance.

The New South Wales Court of Appeal held that membership of an unincorporated association does not, of itself, give rise to a duty of care to other members of the association. However, by taking on the task of arranging the demolition of the sheds on the club's premises, Mr Mazur owed Mr Hrybnyuk a duty of care. This duty arose on the basis of ordinary principles of negligence whether the case was considered in relation to any duty arising from Mr Mazur's role as a committee member or a duty owed to Mr Hrybnyuk as a volunteer.

MANAGING THE RISKS

As seen in Haynes and Hrybnyuk, where office bearers in unincorporated associations have the ability to control potential risks such as the maintenance of playing fields, setting up club grounds for competition or enlisting club members to assist with work at a club's premises, they could potentially be exposed to liability to persons from outside the

club or their own club members.

In relation to risks to participants arising from the condition of playing fields, the risk can be addressed through a documented system of regular inspections (see Touchline 7 – Focus on risk management). Unincorporated associations, particularly local sporting clubs, may have a limited budget and be dependent upon volunteers drawn from the ranks of their members to assist with maintenance issues at the Club's premises. However, the events considered by the Court in Hrybnyuk illustrate the need for an association's office bearers to give consideration to whether the work is more appropriately conducted by an external tradesperson or, at the very least, whether the association can provide adequate warnings and supervision to its volunteers undertaking potentially hazardous maintenance tasks.

Such measures may help reduce the risk of claims arising. However, unincorporated associations should also review their insurance arrangements to assess whether their policies will respond to the risk by providing cover for the association's office bearers in the event of such claims arising. The policy wording, particularly the definitions of the risks being insured against and the insured persons should also be reviewed to ensure that they meet the needs of the club and its office holders.



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Touch Football is one of the most popular participation sports in Australia. **FHM**, April 2010

The physical benefits of Touch Football are immediately apparent. **Women's Health**, October 2011



THE MONEYBALL PHENOMENON

By Timothy Mottram

In the hit 2011 movie *Moneyball* the climax does not arrive with the Oakland A's winning the Major League. It comes with Billy Beane, played by Brad Pitt, rejecting an approach to sign him as general manager by the Boston Red Sox.

In a way, the movie is endorsing the man, but it is also endorsing his strategy. While many movies about sport focus on traditional sporting qualities such as heart and teamwork, this one wants us to believe in its science. The science of *Moneyball*.

Sabermetrics, as it is more accurately known, uses data analysis to determine whether players can perform in a certain role to give their team an edge. While Oakland has not managed to win a title since its introduction in 2002, every team that has done so used a form of sabermetrics.

Such was the success of the Oakland team in 2003 that since then the idea of using data to select players spread quickly to other teams in the competition. When asked why Oakland cannot put together a decent run at the title, Beane said "the idea that you can have a huge advantage in any business without some form of imitation resulting just doesn't happen. We are very much at the bottom of the league in revenues, and face even greater challenges than

a decade ago. I take it as a compliment that there is a trend towards objective analysis."

Sabermetrics is not only concerned with identifying the players who can steal bases, it also helps to identify which players are undervalued. While traditional scouts might be looking for an X factor, sabermetrics very coldly looks at what happens on the field. Once other teams started taking statistics seriously, players that were once undervalued became hot properties. So, once again, Oakland is behind the pack.

Data analysis in sport across the world is becoming big business. Even at graduate level in universities there are courses being designed that use the numbers generated in any business to create better working models. Professor Murat Kristal from York University says employers are already clamouring for graduates who can sift through data and create value for the bottom line. Graduates of this program will not only work in sports, but will also work in a range of other sectors.

The transferability of this system is currently being debated. Some say that a stat-heavy sport like baseball is a more natural fit for the science than, say, American Football or basketball. But looking closely at how any player

plays the game and how that will fit with the team plan cannot fail to have some measure of success.

In "The Secret Footballer", a popular column in the *Guardian* newspaper, an anecdote about Liverpool is given as a good example of sabermetrics outside of baseball. Liverpool, whose former director of football Damien Comolli was an admirer of the system, bought Newcastle's Jose Enrique. Enrique is not the flashiest or highest of profile players, but "he had one of the highest pass completions and entries into the final third; he could also be credited with having a direct hand in many of Newcastle's goals." This was enough to convince the Liverpool board to buy him.

Beane himself advocates the use of the system in sports outside of baseball. The catch, though, is making sure directors and managers are looking for the right things. 'Every business has metrics that correlate to success,' he said. 'It's just finding them and which ones are the most valuable and which ones do you invest in and which ones you get a return on.'

Moneyball, or sabermetrics, has changed baseball over the last decade. It remains to be seen how it can change other global sports in the coming years.



TOUR DE FARCE

HOW CYCLING HAS BECOME A CONTACT SPORT

By Timothy Mottram

This year's Tour de France has seen an unprecedented number of cyclists dropping out of the race due to crashes.

On July 7th, dozens of riders were involved in a horrific crash which put many riders on the plane home. Smaller crashes have been occurring throughout the race.

Then on July 15th, people who can only be described as hooligans spread tacks and nails on the first day of the big mountain stage in the Pyrenees. The resulting crash saw 30 of the 162 riders having their tyres punctured. Chaos ensued as riders skidded to a stop.

Croatian rider Robert Kiserlovski skidded off the road and left the race with a broken collarbone.

"We think the tacks were thrown on the last part of the climb and on the first part of the descent," said the Tour's technical director, Jean François Pescheux

The Tour de France organization has subsequently asked the French police to make formal investigations into the

incident. "We deplore such irresponsible acts that constitute an assault on the riders' physical integrity," it said.

This attack on the riders makes a difficult race almost impossible. Crashes are occurring with ever-greater frequency in the Tour. There are other risks, involving possible collisions with over enthusiastic fans and stray animals. At one point, top racer Bradley Wiggins received minor burns after being struck by a flare that a supporter was waving.

Canadian rider and expert Michael Barry believes that a widening of the appeal of cycling and the changing urban environment are to blame for the increases in accidents.

"Roundabouts, traffic islands and concrete stumps erected to make roads safer by slowing and improving traffic flow," he said.

"As bicycle race routes cross the countryside, then snake through large cities and hamlets, those safety measures become hazards."

DISORDERED EATING IN FEMALE ATHLETES

By Timothy Mottram

We tend to think that athletes are in total control of their professional lives. Aided by cutting edge sports science and a bevy of coaches and nutritionists, they know exactly what to put into their body to make it purr like a machine.

Startlingly, studies show that female athletes are at greater risk of incurring a form of eating disorder than the rest of the general population. A report from 2008 estimated that 35% of female athletes were at risk for anorexia nervosa and 38% were at risk for bulimia nervosa.

This raises question: how are female athletes not taking on board the messages about correct eating patterns? Information on this subject is widely available and athletes

themselves should be heavily invested in knowing the risks inherent in disordered eating.

Jenny Moshak, assistant athletics director for sports medicine at the University of Tennessee, said, "Athletes are driven personalities, completely focused as people pleasers, almost obsessive-compulsive. People who have addictive tendencies gravitate toward athletics."

Indeed, one theory about disordered eating is that it is not caused by commitment to sports, but the commitment to sport can mask an obsessive need to stay slim. The athlete uses the sport as an excuse to be highly critical of themselves and aware of their weight and size.

One the other hand, there are the “thin-build” sports which conventionally can only be played at a high level by females with a light weight. They include dance - but most specifically ballet - gymnastics, diving, figure-skating and cheerleading. Byrne and McLean estimated that 31% of elite females in “thin-build” sports had clinical eating disorders. These sports require slim built females by their very nature, but pose a great risk for younger athletes because most of the competitors start participating in them before pubescence. Once their body starts to develop, there is a risk that they will use disordered eating as a method to keep themselves in the sport.

There is also a crossover where particular personality traits can be seen in both people with eating disorders and in elite sportspeople. One such trait is perfectionism. In its most extreme forms, a perfectionist will go to any length to achieve a desired goal, whether it is a sporting goal or an

imagined ideal weight.

In an article from USA Today, 2004 Olympic diver Kimiko Hirai Soldati said that “It would be hard to find a female athlete in the aesthetic sports — gymnastics, diving, cheerleading, figure skating, dancing — who isn’t preoccupied with body image and somewhat obsessive about what she is eating,”

Soldati herself fought a long battle against bulimia nervosa, where she would binge and purge in a futile attempt to control her weight. “I was so obsessed about calories that I didn’t want to chew gum because there are 5 calories in a stick,” she later stated.

Bulimia represents one of the two most common types of eating disorder, where the sufferer eats and then induces vomiting. The other type is anorexia nervosa, which is characterized by restricting food to minimal amounts and a refusal to maintain a normal body

weight. This is usually accompanied by body dysmorphia.

The health risks to athletes who have eating disorders are obvious. On the most basic level, bodies with high output need some serious input. Science suggests that on top of this obvious balance, weakness in the bones can be directly traced to disordered eating. Osteoporosis is a major risk for female athletes in this category. It can also affect the menstrual cycle. In its most extreme form, sufferers can actually die of starvation.

Female athletes are aware of the dangers posed by disordered eating, but with the pressures to succeed, they can often ignore that knowledge. Perhaps once the stigma of the disorder is removed, more elite athletes will come forward to tell their story. For example, Soldati runs a website that offers support and advice. “I can point them in a direction and tell them where to get help.”

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WOMAN STUCK IN WATERSLIDE SUES

A woman is suing Wet 'n' Wild in Queensland, Australia, for \$400,000 in damages after she became stuck in a waterslide.

Cherie Schramm went on the newly opened Aqua Loop waterslide on January 2 last year but became stuck halfway. She did not gather enough speed to complete the full loop and slid back and forth inside the slide before coming to rest at the bottom of the loop.

In a damages claim filed in the Southport District Court on May 22, Ms Schramm said she became "frightened" and feared another rider would ram into her, reported the Gold Coast Bulletin.

She said she had not been properly warned about the potential to become stuck or what to do in such a situation. She said in a panic she reached up and found an escape hatch and hauled herself up and out using her left arm. She claims that as a result of her panicked exit she suffered a partially torn rotator cuff in her left shoulder and ongoing mental issues.

Her representatives from McCowans Solicitors claim Wet 'n' Wild owner Village Roadshow Pty Ltd failed to keep patrons safe.

It was acknowledged that each of the four Aqua Loop slides had a built-in escape hatch, a fenced concrete platform and a descending staircase attached to allow stuck riders to exit safely.

Ms Schramm's lawyers claim Wet 'n' Wild should have provided instructions or directions to water park users, either through a recorded message, intercom session or by written signage at the point of exit, on how to safely exit the ride.

They claim riders should be pre-warned that in case of emergency, the Aqua Loop slide would stop operating and no new riders would be allowed on until the stuck person had left through the escape hatch.

Lastly, the lawyers argue riders should be warned to stand up in the tube to exit through the escape hatch and not to haul themselves out while lying down in the tube.

Ms Schramm is claiming \$400,000 in damages, including \$250,000 for economic loss over 35 years, \$21,200 in general damages and \$84,654.90 for future paid care.

WEIGHTLIFTER ACCUSED OF DEMANDING RANSOM PAYMENT

A MELBOURNE weightlifter has been accused of threatening to sabotage the Olympic chances of the entire Australian weightlifting team if he was not paid thousands of dollars.

During the Oceania Weightlifting Championships in Samoa last month - which doubled as an Olympic trial - Daniel Koum is alleged to have asked for \$5000 cash just 40 minutes before his opening lift. Koum is alleged to have threatened to not compete if he didn't receive the money.

Sources declined to reveal precisely how the money paid to Koum was raised, but said it would be repaid out of the personal bank accounts of a group of team officials and coaches.

His failure to participate would have prevented any Australian male weightlifter competing at the Olympic Games in London.

Koum denied the allegations. But Michael Keelan, chief executive of the Australian Weightlifting Federation, confirmed the incident.

Mr Keelan would not name the athlete involved, but other sources confirmed it was Koum, a 26-year-old Melbourne-based weightlifter originally from Cameroon who became an Australian citizen in 2008.

However, in a dramatic turn of events, Mr Keelan was later told by the Australian Olympic Committee that his services were no longer required.

An investigation has been launched into the incident.

'LAND-SURFER' DIES AFTER CAR PARK CRASH

A man has died after hitting a concrete post in Portsmouth, UK while strapped to a skateboard.

The 26-year-old Lithuanian was injured while "land-surfing" in the car park of the D-Day Museum at Southsea.

He was airlifted to Southampton hospital before being transferred to the neurological unit where he died.

Land-surfing involves using a longer than normal skateboard, which the user often has their feet strapped to.

Background image:

Man Land-surfs on a beach.

Image by claud3334.

Shorts

FIFA OVERTURNS HEADSCARF BAN

As anticipated in the last edition of Touchline, the five year ban on women soccer players who wear headscarves competing internationally has been overturned by FIFA's rule-making body in Switzerland.

"Safety and medical issues have been removed for the use of the headscarf and it is approved that players can have the headscarf," said Jerome Valcke, FIFA's secretary general.

The design, colour and material that will be permitted will be finalised at a board meeting in Glasgow in October.

The decision is good news for Muslim female players around the world.

Moya Dodd, vice-president of the Asian Football Confederation and former soccer player for the Australian women's team, the Matildas, said: "It's just a matter of time before there is a hijab-wearing Matilda." Ms Dodd was part of a year-long campaign to overturn the ban that was spearheaded by FIFA's vice-president and executive committee member, Prince Ali bin al-Hussein of Jordan.

Ms Dodd believes the ruling is a turning point for "the beautiful game" as more Muslim women are playing soccer and reaching its elite ranks.

A headscarf design that includes a quick-release Velcro strap has been developed to overcome safety concerns.

TO WEAR OR NOT TO WEAR, THAT IS THE QUESTION.

In May, a St Kilda City's under-nines junior football team played rival club St Paul's McKinnon. It was just another weekend game of footy in Melbourne, but it raised some interesting questions about the effect that wearing helmets have on the game.

St Kilda doesn't wear helmets, St Paul's does, and St Kilda got crushed. The loss led to questions being asked particularly about the impact that helmets have on the way that a team plays.

St Kilda City and St Paul's play in the south metro junior football league. It has 29 teams. League general manager David Cannizzo says about half choose to wear helmets in the younger grades despite AFL Victoria having no helmet policy. "It is purely a club decision," he says.

The science that AFL Victoria cites for its policy is a nine-year-old study done by medical, safety science and brain experts from three major Australian universities. It says there is "little evidence that protective headgear is an effective injury prevention measure in Australian football".

It suggests helmets may give a false sense of security: "Players who mistakenly wear headgear because they think they are protected may place themselves at increased risk of injury."

The jury is still out on helmets for children. Some clubs where helmets are not compulsory find that some parents want them anyway, despite no tackling or bumping in the under nines and 10s which is only allowed from the under-11s age group. St Kilda City president Don Robertson says the "non-contact" nature of the younger grades means helmets are not necessary and he is happy to abide by the AFL's lack of policy.

Professor Vicki Anderson, a Melbourne University paediatric neuropsychologist and head of Critical Care and Neurosciences Research at the Murdoch Children's Research Institute, told The Saturday Age the science was untested on all the arguments. Children's heads and developing brains were vulnerable. However, there was an "overprotectiveness" in some arguments for helmets.

SWOOPING SKYDIVER DIES

A 27-year-old skydiver has died after plunging into the ground at high speed while attempting a specialist manoeuvre known as swooping.

Tim Fitzsimmons, from Raby, NSW, Australia, died after more than 12 hours of surgery at Liverpool Hospital.

He suffered serious internal bleeding along with chest, abdominal and leg injuries following his failed jump. Paramedics rushed to the Sydney Skydiving Centre at

Wilton, in the city's southwest, transporting the experienced BASE jumper and skydiver by helicopter to hospital.

It is believed Mr Fitzsimmons was swooping at the time, a technique where the jumper dives at high speed before using their parachute to pull out of the plunge a short distance above the ground.

Friends flooded social media with messages of support for the family of the well-respected skydiver.

GOOD LUCK IN LONDON



Sportscover wishes good luck to all the athletes, teams and all those involved at the games in London.

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