

2017 Annual General Meeting Board's report to members

It is my pleasure to report to you on behalf of the Board about ANZSLA's operations for the year ended 30 June 2017 and the Board's plans for this current financial year.

2016 Conference

The 2016 annual conference was held in Wellington between 12 and 14 October. The theme "The Forces at Play" encompassed the topical issues in sport in 2016 (and today), including integrity, governance, commercialisation of sport and selection disputes. Conference attendees enjoyed a variety of presentations, led by keynote addresses from David Howman (former Director General of WADA) and Peter Miskimmin (Chief Executive, Sport NZ), in the unique setting of Mac's Function Centre. The social programme did not disappoint, with the President's Welcome Reception held at NZ Rugby House (kindly sponsored by Gow-Gates Insurance Brokers and hosted by NZ Rugby Union) and the conference dinner at the striking national museum, Te Papa.

Many thanks must go to the entertaining speakers who shaped the conference programme, and to the sponsors who generously contributed to its success. In addition to Gow-Gates Insurance Brokers, the conference was supported by Sport NZ (major sponsor), Gibson Sheat Lawyers, Minter Ellison Rudd Watts, Fairmont Estate and Schoc Chocolates. Most importantly, the Board would like to thank the dedicated organising committee members for a job well done – Nick Hansen (chair), Nigel Stirling, Keith Binnie, Maria Clarke, Paul David QC, Sally Kane, Andy Gibson and Ewa Phillips, as well as the conference manager, Conference Innovators.

At the conference dinner, the Board was delighted to award the Paul Trisley and Denis Callinan awards to two very deserving recipients.

We were thrilled to present the Paul Trisley award to Callum Fleming from Perth, WA, for his paper entitled "The I in Team: Issues for Team Sports under the World-Anti Doping Code". Callum gave an engaging summary of his paper at the conference on Friday afternoon, and gave attendees further food for thought about the application of anti-doping regulations to team sports.

As I mentioned last year, the Board invites businesses and individuals to consider ongoing sponsorship of the Paul Trisley award, as CCH's sponsorship concluded in March 2015. It is an award that provides an important opportunity for aspiring sports lawyers to be published and recognised for their innovative academic thought, and is a fantastic opportunity to support the development of academic commentary in sports law. It is an award reserved for exceptional academic writing, and is not awarded each year if the papers submitted are deemed to not be of sufficient quality by the review panel.

The Denis Callinan award was presented to Paul David QC from Auckland, New Zealand. The Denis Callinan award is intended to recognise individuals within ANZSLA's membership who volunteer their time and efforts to provide legal assistance to sports. Paul's pro bono contribution to assisting athletes and sports to address the complex legal issues that they face, as well as his willingness to mentor and support young sports lawyers and students, makes Paul a very worthy recipient of ANZSLA's newest award. The Denis Callinan award is sponsored by the Queensland Traffic Offenders Program (which was established by Denis), and the recipient of the award receives a grant of \$2,000 for the sports organisation of their choice. Paul nominated the Sir John Walker Find Your Field of Dreams Foundation (Community Learn to Swim Program) as the recipient of the grant. The ANZSLA Board is very grateful for QTOP's continuing support of the Denis Callinan award.

Administration and Board

As members will be aware, ANZSLA's Executive Manager, Sharon Scriven, plays a vital role in the execution of ANZSLA's strategic plan and in ANZSLA's operations generally. Sharon continues to provide outstanding support for ANZSLA, and is a strong advocate for the organisation and its interests. The Board is very grateful for all her efforts in performing her role as EM, which are always conducted with good humour and dedication.

Thanks must also go to ANZSLA's NZ Administrator, Ewa Phillips. Ewa has been a fantastic administrative resource for Sharon and for the New Zealand members and organising committees.

In line with her commitment to improving member services, Sharon has identified an opportunity to enhance ANZSLA's membership management through a management tool known as "Member Evolution", creating an enhanced and more efficient service for ANZSLA members, streamlined administration procedures and cost savings over time. Further details are set out under the heading "Strategic review" below.

I would also like to thank the members of ANZSLA's Board – Stuart Corbishley, Terry Gracey, Martin Ross, Paul David QC, Tim Holden, Kendall Harris, Tony O'Reilly and Keith Binnie for the contribution that each makes to ANZSLA's success. Each member of the Board gives above and beyond the time and effort expected of a voluntary Board member to ensure that ANZSLA runs smoothly as an organisation, and each are driven to deliver value to ANZSLA's members. It is a pleasure working with the Board.

Particular thanks are directed this year to retiring Board members Stuart Corbishley (Secretary) and Kendall Harris. Kendall joined the Board in 2015, and not only brought the perspective of a junior lawyer to the Board, but also offered a contagious enthusiasm and willingness to roll up her sleeves and contribute to ANZSLA's operations in any way. After relocating to London in 2017, Kendall decided not to renominate for election as an ordinary director at this year's AGM. The Board wishes her all the best for her future endeavours in the UK.

Stuart Corbishley joined the ANZSLA Board as a co-opted Director in 2012 and was subsequently elected as Secretary, a role he has performed with distinction in the period since. Stuart has diligently ensured that ANZSLA has met its regulatory requirements, as well as being timely and detailed in producing secretarial documents. All this while contributing enthusiastically to ANZSLA's strategic direction and its operations – particularly to organise regional events in Sydney. It is a testament to Stuart's dedication that in recent years he has been able to build a successful sports law practice while stewarding ANZSLA's secretarial responsibilities. His considered thought, cheerful nature and detailed minutes will be missed from Board meetings, but we wish him every success as he focusses on his practice and other projects.

Publications

ANZSLA has continued to offer 3 key publications for members: the Australian and New Zealand Sports Law Journal, the Commentator and the Sports Shorts e-newsletter.

The 2015 Australian and New Zealand Sports Law Journal was published and distributed to members earlier this year, and the 2016 Journal will be published after this year's conference. Members will note from the budget documents that the Board expects that the 2017 edition of the Journal will be published in the first half of 2018. The Board thanks Deb Healey and Paul Hayes for their tireless work as editors of the Journal, and to the other members of the editorial committee for the time and effort that they devote to consistently producing a journal of exceptional standard.

The Board is conscious that some members prefer to receive communications electronically. In the coming months, ANZSLA will seek feedback from members as to whether they would prefer to receive the Journal electronically rather than in hard copy (as is presently the case). This is a question that will then be asked of all new members as they sign up on the new Member Evolution platform.

Finally, as mentioned above in respect of the Paul Trisley award, in 2015 CCH decided not to renew its sponsorship of the award and the Journal. The Board is continuing to seek out other potential sponsors of this important publication, and would of course be interested to hear from members who may wish to support this initiative.

The Board again wishes to thank Gerry Glennen, the editor of the Commentator, for his ongoing work to produce this publication. As a more frequent publication than the Journal, the Commentator remains an important resource for members to receive timely information about and consideration of current sports law issues. Members are encouraged to contribute articles to the Commentator, as well as to send information about recent achievements and what they have been involved with to Sharon so that this can be included in future editions. The final edition of the Commentator for 2017 will mark the 100th - an anniversary that will be recognised and celebrated.

The regular Sports Shorts e-newsletter is a popular item in members' inboxes, with its focus on contemporary sports law issues and news from around the world, particularly Australasia. The Board is grateful to Tony O'Reilly and his staff at Kemp Strang for sourcing articles and compiling this e-newsletter.

Regional events

Consistent with the strategic plan, the regional event program has continued over the past 12 months, with the following regional events held across Australia and New Zealand:

- 17 August 2016: *Book launch – Doping in Sport and the Law* (Sydney)
- 24 August 2016: *Mitigating the concussion crunch: Implications of workplace health and safety legislation and risk management strategies in professional football* (Adelaide)
- 7 September 2016: *Governance issues for Australian sporting organisations* (Melbourne)
- 8 November 2016: *Sports Law – A year in review* (Perth)
- 5 December 2016: *Bringing the sport into disrepute* (Auckland, NZ)
- 6 December 2016: *Bringing the sport into disrepute* (Christchurch, NZ)
- 6 December 2016: *Professional Sport and Work Health and Safety Laws: Defining the boundaries of responsibility* (Brisbane)
- 7 December 2016: *Bringing the sport into disrepute* (Wellington, NZ)
- 15 February 2017: *Sports Law – A year in review* (Melbourne)
- 14 March 2017: *Anti-Doping investigations* (Perth)
- 10 July 2017: *New Zealand Sports Law Symposium* (Auckland, NZ)
- 26 July 2017: *Governance issues for Australian sporting organisations* (Sydney)
- 6 September 2017: *Networking function and opportunity to meet and welcome Professor Jack Anderson* (Melbourne)

There are a number of regional events planned around Australia and New Zealand for the latter months of 2017 and early in 2018, so members are encouraged to watch out for details and attend. We also encourage members who are interested in presenting on current issues in sports law to contact Sharon Scriven at ANZSLA's office with details for a proposed regional seminar.

In recent years, the Board has focussed its attention on regular regional functions as a key benefit of ANZSLA membership, and has devoted increased financial resources to this end. This has resulted in a consistently high standard of regional functions across Australia and New Zealand, with increasing attendance by both members and non-members. It is pleasing to note that many non-members who attended regional functions have become members of ANZSLA, as the Board had hoped.

Thanks must go to the individuals across Australia and New Zealand who brainstorm, organise and host regional events for ANZSLA. There are too many to name here (I hope that you know who you are), but it is an understatement to say that functions of the high quality to which members are now accustomed would not be possible without you.

Relationships with industry bodies (national and international) and ANZSLA's profile

The Board continues to seek out ways to engage with and support the following stakeholders and industry participants, and welcomes members' input in this respect:

- Governments (national and state) across Australia and New Zealand, and particularly government departments and bodies dedicated to sport (such as Sport NZ, the ASC, the Commonwealth Office for Sport and State Sport & Recreation Departments)
- independent non-governmental organisations that represent or assist sporting associations (including sports federations)
- students and academics from universities with units or courses in sports law (or who would like to introduce sports law units or courses) in Australia and New Zealand
- professional and participation sports organisations
- law societies
- international and national (outside Australia and New Zealand) sports law associations – particularly the Sports Lawyers Association (US), Japan Sports Law Association, Portuguese Association of Sports Law (APDD), and British Association for Sport and Law (UK).

Within Australia and New Zealand, ANZSLA has strengthened ties with Play by the Rules – the service which provides education, information and resources for the sports industry (particularly grass roots sports). In July 2016, ANZSLA agreed to continue its participation as a member of the Play by the Rules National Reference Group for a further two year term. The Board is grateful to Martin Ross for acting as ANZSLA's representative in this capacity. ANZSLA has a regular feature in Play by the Rules' e-magazine, and the Board invites members to contribute to this publication about issues affecting grassroots sport.

The Sports Tribunal Referral List and Legal Contact List continue to receive attention through the ANZSLA website. These lists are published to assist sports to access legal advice from ANZSLA members, and in the case of the Sports Tribunal Referral List, to assist with their dispute resolution processes. They contain the names of ANZSLA members that have expressed interest and willingness to appear on the lists and to serve on sports tribunals across all states and regions of Australia and New Zealand. ANZSLA has received very positive feedback from sports about the value of both lists, and we are pleased to facilitate this resource for the sports industry.

As I have mentioned in the past couple of years, it is pleasing that with the recent focus on sports law in the general media, ANZSLA has been contacted on many occasions to provide comment to various media outlets about sports law issues. In some cases, members of the Board are unable or unavailable to comment, and Sharon has directed the relevant media contact to members

whose names have been submitted to a media contact list (if within the member's nominated area of expertise).

Please contact Sharon if you are interested in adding your name to the Sports Tribunal Referral List, Legal Contact List, or media contact list.

In recognition of ANZSLA's status as the leading source of sports law knowledge in Australia and New Zealand, ANZSLA is often asked to assist with engaging the sport and sports law community to participate in industry reviews (such as the recent review of the NZ Sports Tribunal) and Senate Inquiries. Members will be aware that after receiving any invitation to contribute, Sharon will circulate details of the request to members (and in the case of submissions to Senate Inquiries in Australia, invite members to contribute to ANZSLA's submission). The Board encourages members to provide comments and contribute to these submissions when received.

2017 Conference and AGM

When this report is discussed by members, we will be in the middle of the 27th annual conference in Sydney. The conference programme features exceptional speakers and topics that have been drawn from the current issues in sports law. I am very much looking forward to insights about the Russian doping investigation in the keynote presentation by Professor Ulrich Haas and The Hon. Dr Annabelle Bennett on Thursday morning. The social events will showcase fabulous venues around the harbour city of Sydney, including the President's Welcome Reception at the Sydney Cricket Ground. Thank you to the conference organising committee for their dedication and tireless efforts in organising this year's conference – the COC members are David Trodden (chair), Amy Wark (finances), Joseph Collins, Stuart Corbishley, Neville D'Costa, Deborah Healey, Tim Holden, Tracey Scott, Rohin Sharma and Victoria Wark.

The annual competition for the ANZSLA Sports Cup – a sporting competition of the COC's choosing, held in the conference location each year – continued in 2016 with a round of "Olympic" sporting feats around the offices of NZ Rugby Union at NZ Rugby House. The South Island of New Zealand continued its dominance of the Sports Cup and took home the trophy in 2016 (pipping Western Australia at the post). The ANZSLA Sports Cup is kindly provided by Gibson Sheat Lawyers in Wellington and is sponsored by FOX SPORTS this year. The Sports Cup competition will be held as part of the President's Cocktail Reception at the SCG this year. I am sure that members who participate will have a blast, and I expect that the Cup will again be hotly contested between Australian States and New Zealand (...hopefully this year WA will triumph...).

It is encouraging to see that there is continued interest in membership of the ANZSLA Board, with nominations received for Ordinary Director and Secretary positions. As has been said at previous AGMs, this is testament to ANZSLA's motivated and active membership and also to the work that ANZSLA (its Executive Manager, Board and members) has been doing.

Financial review

As noted last year, there has been an extensive review of ANZSLA's finances in recent years. Terry Gracey (Finance Director) has continued to bring a high level of financial expertise to the role. As I'm sure you will appreciate when you review the Finance Report and accounts, Terry has a unique ability to analyse and interpret figures and trends, and has been invaluable to the Board and ANZSLA.

Terry has prepared an extensive report in respect of ANZSLA's finances for 2016/17 and budget for the 2017/18 year, and I will not duplicate his comments here. I will say, however, that the Board intends to continue with and consolidate the initiatives for members that have been implemented in recent years (particularly in respect of its publications and regional functions). At the same time, (and as set out in the Finance Report), Terry and Sharon will continue to review ANZSLA's expenses, with a view to maximising value and minimising cost.

The new auditors have performed their function satisfactorily this year, and we trust that members will ratify this appointment at the upcoming AGM.

The overall financial position of ANZSLA is that the Association continues to maintain a healthy bank balance – particularly for a not-for-profit organisation. The Board has been regularly asked by members since 2009 to use its significant reserves to improve benefits for members, to which the Board has responded by implementing initiatives directed towards this end. The response from members has been positive, and this is evident in the increasing membership numbers. In the short term, the Board will continue to invest in providing ANZSLA members with a range of publications, functions and opportunities for engagement so that in the longer term, ANZSLA will be sustained as a vibrant, active and well respected organisation. As raised previously, the Board is very interested to hear ideas about additional benefits that could be pursued, and we welcome comments and initiatives from members. Two projects which the Board has decided to pursue are detailed below.

Strategic review

The Board met in early 2017 to review the current strategic plan and develop a financial strategy for ANZSLA. There was a strong focus on strategic objectives and growth for ANZSLA during this strategic review. As a result of the discussions, the Board has refined its strategic goals, as follows:

1. Education and networking: conduct national and regional sports law events. This requires ANZSLA to hold an annual conference in Australia or New Zealand, and to hold regional events and seminars around Australia and New Zealand on a regular basis (the minimum number of events will differ between locations). ANZSLA members are encouraged to participate in these events as speakers, hosts, sponsors or attendees. In addition to ensuring consistently high quality presentations, ANZSLA also seeks to increase its members' profiles by providing opportunities to participate in these sports law events.
2. Education: create high quality sports law publications. This requires ANZSLA to produce an annual Journal, a minimum number of editions of the Commentator, and to circulate Sports Shorts on a regular basis, and to maintain standards of quality and contribution to sports law knowledge in each publication.
3. Advocacy: grow ANZSLA's profile through stakeholder engagement activities. This objective requires ANZSLA to increase its profile with members and stakeholders, so that the organisation continues to be recognised as the premier sports law association in Australia and New Zealand and a source of information for members and non-members alike. This includes engagement with government and government bodies in the sports industry in Australia and New Zealand, national and State sporting associations, universities with sports law and sports management courses, and international sports law organisations.
4. Sustainability: ensure that ANZSLA remains a sustainable organisation. Broader than simply financial sustainability, this requires that ANZSLA have a qualified Director of Finance, audited accounts, regular meetings of the Board and any committees, a minimum level of financial reserves (a year of operating costs plus a small contingency) and appropriate management of organisational risks (ie, having comprehensive insurance, managing key person risk and having an informational technology strategy).

The first three objectives within the new strategic plan are based on the strategic objectives in the plan that has been developed and refined by the Board since 2009. The fourth strategic objective was considered appropriate for ANZSLA – particularly as it seeks to demonstrate best practice in its governance and operational functions.

In this theme, the current ANZSLA Constitution provides for seven of the nine available Board positions (including the positions of President, Secretary and Director of Finance) to be elected rather than appointed, and for all positions on the Board to be held by members of ANZSLA. The two remaining positions are for co-opted directors, and are intended to be available for the Board

to engage particular expertise or to ensure adequate representation from New Zealand. The Board discussed at the strategic review whether it may be preferable to amend the Constitution so that some positions on the Board (particularly, for example, the Director of Finance) are appointed rather than elected, and that the position may be filled by a person who is not a member of ANZSLA. If this concept is met with approval by members, the Board also discussed the potential for a Board Appointment Panel (comprised of the President and long-standing ANZSLA members) to be tasked with identifying members or non-members of ANZSLA for appointment to the Board.

I encourage members to consider this in advance of this year's AGM, and to raise any comments for discussion at that time (or at any point afterwards – please feel free to direct comments to Sharon or any member of the Board). If positive feedback is received, the Board will propose the relevant changes to the Constitution at the 28th AGM in 2018.

In addition to the above strategic issues, the Board considered various ideas (including a number received from members) about worthy projects for the organisation to pursue. There had been some interest from members – particularly younger members – about the possibility of a mentoring scheme facilitated by ANZSLA and thanks and congratulations must go to Scott Ogilvie for his detailed mentoring proposal which was the winner of a complimentary ticket to the Business of Sport Summit in April. Whilst the Board acknowledged that often the strongest mentoring relationships are formed organically, it also recognised that this can be difficult to establish for some younger people, and that ANZSLA may be able to assist. Sharon Scriven is currently developing a mentoring initiative, and will circulate further details in due course.

It was acknowledged at the strategic review that the administrative aspects (or “back end”) of ANZSLA's operations are cumbersome, ageing, duplicative, and are starting to result in increasing costs for the organisation. As mentioned earlier in this report, the Board has acted to address this by engaging Aspedia in migrating ANZSLA's operations to a membership management solution known as Member Evolution. Member Evolution is an established software platform built specifically for membership associations. ANZSLA's website, member database and e-newsletter are currently housed on separate software systems and this new integrated platform will avoid much duplication and increase efficiency in ANZSLA's administrative operations by consolidating them into one place. The new website will also be tablet and smartphone compatible and there will be the opportunity for members to opt out of receiving specific categories of newsletters, depending on their interests and preferences. Sharon will be working with the developers, over the coming months to build a platform to ANZSLA's specifications, and we expect this to be ready to go live in the first half of 2018. A number of other initiatives were discussed and agreed at the strategic review, including ensuring that all regional seminars are eligible for CPD accreditation (other than purely networking events), creating a timetable of regular regional events which includes an overview of sports law decisions presented in three locations each year (in addition to the conference), and developing a social media strategy and more interactive platform for discussion between members. Please feel free to speak to me, or to other members of the Board, if you would like to discuss any of these (or any other initiatives) further.

Concluding comments

The Board is always open to considering new ways to provide value for members and additional benefits where possible – while focussing on ANZSLA's mission to provide members with sports law education, advocacy and networking opportunities. I confirm the Board's commitment to ensuring that benefits and value flow to ANZSLA members, especially through its conferences and regional functions, and producing publications of the highest standard.

The Board and I are passionate about ANZSLA and its future, and we look forward to working with members to take ANZSLA forward during this very exciting time for sports law.

Venetia Bennett
President

6 October 2017