

BOOK REVIEWS

'Bar, Bench and Land Law'

history, historical literature and ancient lore make this part of the book lighter, livelier and more entertaining. Bryson's turn of phrase is beautiful.

Bryson's book is more than a memoir and a history lesson. The erudition is deep. It reviews two disparate periods of history. It is a private binding in the truest sense. In these pages lie truth and

myth intertwined. That lies at the heart of the bar's oral history. Bryson has taken time and effort to record some of that history. It is a valuable book for that alone. It records the wisdom of the ages.

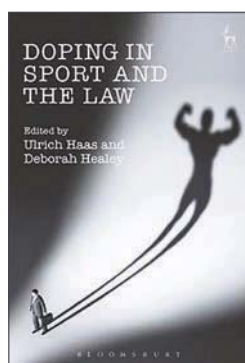
Bryson has indicated that the book was printed as a gift to friends and enthusiasts of legal folklore and history. It purports to be nothing more.

However, those who enjoy its contents are exhorted to make a donation to the Barristers' Benevolent Fund.

Reviewed by Kevin Tang

Doping in Sport and the Law

Haas and Healey (eds) | Hart Publishing | 2016



The World Anti-Doping Code (code) and its related rules were implemented in 2004. Through an amalgam of contract law, legislation and international treaty, they create a legal framework for dealing with doping in sport.

The code was born from the growing disquiet in the sporting world in the mid-1990s that drug cheating was causing irreparable damage to the reputation of major sporting events such as the Olympic Games and the Tour de France and undermining the intrinsic value of sport which, David Howman, the chief executive of WADA recently described as

...the celebration of the human spirit, body and mind, and is characterised by values such as ethics, honesty, respect for rules, self-respect

and respect for others, fair play and healthy competition. If sport is void of these rules (and others) it might be argued that it is no longer sport.

This work was written against the background of the many national and international controversies over the last few years, including those involving Australian cyclist Lance Armstrong, the baseballer Alex Rodrigues, the Australian Football League (AFL) and the National Rugby League (NRL).

It consists of a series of papers by lawyers and academics grouped under the following themes: Part I, the Evolution of the Code; Part II, the Code and the Athletes; Part III, Procedural Questions concerning the Code; Part IV, Obligations and Liability under the Code; and Part V, Governance and Compliance Issues under the Code.

In Part I, Professor Ulrich Haas of the University of Zürich considers the 2015 redraft of the code in detail. He opines that despite extensive consultations with stakeholders paradigmatic change was minor. He addresses the contentious issue of cannabis testing, controversies relating to fault and suspension, the treatment of contaminated products, and the

problematic area of disciplining support personnel.

The contributions to Part II of the book includes a chapter written by Dr Tom Hickie, barrister and adjunct lecturer at UNSW, which critically examines the code in the context of recent doping scandals involving professional football in

It is a must read for lawyers wanting to know more about the code and the complex web of legal and social considerations surrounding its enforcement.

Australia and the Lance Armstrong case, noting that the Draconian nature of the code means that fault does not have to be proven for an infringement to occur. In Chapter 4, Alan Sullivan QC analyses the seminal role that contract law plays in the regulation of doping under the code. He discusses the extent to which the 2015 code operates as a contract and between whom including difficult issues of privity of contract.