

From: Downes Mandy [Mandy.Downes@nprsr.qld.gov.au]
Sent: Thursday, 28 March 2013 2:22 PM
To: Lawrence Deirdre
CC: Ridgewell Paige; Sallaway Julie
Subject: FW: wrestling brief
Attachments: Signed Final.pdf; Premier response to sch4p4(6) Personal information- amended by DPC SRS changes.docx

Deirdre

Attached is the final response the Premier sent to sch4p4(6) Personal information. The Premier's note indicates that the correspondence is raising issues that 'may be of significant concern'.

FYI

M

Mandy Downes | Director (Tues, Wed, Thurs)
Policy, Research and Planning | Sport and Recreation Services |
Department of National Parks, Recreation, Sport and Racing
T: 07 3338 9212 (short dial 79212) sch4p4(6) Personal information F: 07 3898 0925
E: mandy.downes@nprsr.qld.gov.au

From: Hodges Sharon
Sent: Thursday, 28 March 2013 2:03 PM
To: Richard W Watson (richard.watson@nprsr.qld.gov.au)
Cc: Downes Mandy
Subject: wrestling brief

Hi Richard

Here is the wrestling response provided. Seems the Premier has signed with the hand written notes attached.

Also attached the letter we prepared.

Regards

Sharon

Sharon Hodges | Director
Industry Capacity and Events | Sport and Recreation Services |
National Parks, Recreation, Sport and Racing
T: 07 3338 9248 sch4p4(6) Personal information

For reply please quote: DNPRSR/ERP – TF/13/3487 – DOC/13/40820

sch4p4(6) Personal information

Dear sch4p4(6) Personal information

Thank you for your email of 20 February 2013 regarding regulation of the Professional Wrestling industry in Queensland.

I appreciate you raising your specific concerns about this sport and the suggestions you have offered. The Queensland Government supports sport and recreation at the grassroots level and is committed to getting more people, especially children and young people, playing sport and involved in recreation activities.

The Queensland Government has previously reviewed the need for State regulation of combat sports including boxing and wrestling on three separate occasions. These reviews provided insufficient evidence to support the introduction of State legislation to regulate the combat sports industry. While the introduction of State regulation of combat sports, including boxing and wrestling, is not being considered at this stage, Queensland will continue to monitor the effectiveness of combat sports regulation in other jurisdictions across Australia.

The Queensland Government has no jurisdiction in the regulation of professional sports. However, I encourage you to contact other sports within the combat sports industry to discuss the steps taken by their organisations to self-regulate their sport and, if applicable, apply to your own.

I have sent a copy of your letter to the Honourable Steve Dickson MP, Minister for National Parks, Recreation, Sport and Racing, as his portfolio has responsibility for his noting. Should you have any further queries, please contact Ms Sharon Hodges, Sport and Recreation Services, Department of National Parks, Recreation, Sport and Racing on telephone (07) 3006 2604.

Again, thank you for bringing your concerns to my attention. I hope this information is of assistance to you.

Yours sincerely

CAMPBELL NEWMAN

From: Downes Mandy [Mandy.Downes@nprsr.qld.gov.au]
Sent: Thursday, 11 April 2013 11:35 AM
To: Lawrence Deirdre
CC: Ridgewell Paige
Subject: RE: CASRO Combat Sports Working Group

Thanks Deirdre.

I agree that it would be beneficial to have an evaluation of the existing legislative and enforcement codes and we can suggest that in a response to the discussion paper.

Very good point about a role for the ASC in this. We can discuss this with Sharon.

We will probably lead the feedback on the paper, but we can discuss this with Sharon next week.

Mandy

Mandy Downes | Director (Tues, Wed, Thurs)
Policy, Research and Planning | Sport and Recreation Services |
Department of National Parks, Recreation, Sport and Racing

T: 07 3338 9212 schmp4 (6) Personal information 07 3338 9225
E: mandy.downes@nprsr.qld.gov.au

From: Lawrence Deirdre
Sent: Wednesday, 10 April 2013 2:17 PM
To: Downes Mandy; Ridgewell Paige
Subject: RE: CASRO Combat Sports Working Group

Mandy,

I've reviewed the Combat Sports Disc Paper.

The paper acknowledges that NT and Qld do not have combat sports regulation, and that Qld responded to the survey (as did all the jurisdictions).

The paper identifies a number of key areas where there are differences between the jurisdictions. It also identifies advantages /benefits to there being consistency between the states. These areas include:

1. Setting minimum standards for information required when registering combatants and industry participants (ie coaches, promoters etc).
2. Minimum standards for registration of combatants (including base level medical requirements).
3. Minimum standards of registration for industry participants.
4. Consistent approaches across states as to where a participant or combatant is registered.
5. Setting minimum standards for protective equipment (ie it acknowledges this may need to occur sport by sport basis).
6. Consistency in minimum age limits for combatants.
7. Consistency in the definitions used by each jurisdiction – including for amateur, professional, etc and consistency as to which sports are regulated.

8. Accreditation of judges, referees and industry participants – there should be a standardised formal professional accreditation system/process – with the exception of sports already accredited by the ASC. The paper suggests promoting the benefits of ASC recognition but does not identify that many sports may not ever meet ASC recognition standards.
9. Sharing of information across states and territories through a national database – although will be privacy issues.
10. Standardised templates for clearances (clear to participate).

Certainly the achievement of consistency by these other jurisdictions will make the possible introduction of legislation and enforcement in Queensland easier (if Qld were to head down that path).

I am however concerned that the WG has not recommended that there be an evaluation of the existing legislative arrangements to determine costs, benefits - specifically whether there have been any improvements to the safety of combatants, and the integrity of the industry.

I recommend that Queensland request that this be considered.

I also recommend that the WG discuss opportunities with the ASC to develop accreditation process for combat sports that may not meet the ASC's process of recognition.

Regards
Deirdre.

Deirdre Lawrence | Manager

Policy and Governance

Policy Research and Planning | Sport and Recreation Services |

[Department of National Parks, Recreation, Sport and Racing](#) |

T: 07 3338 9222 (ex 79222) M: [redacted] F: 07 3898 0925

From: Downes Mandy

Sent: Tuesday, 9 April 2013 4:05 PM

To: Lawrence Deirdre

Subject: FW: CASRO Combat Sports Working Group

Deirdre.

This one was us. I just looked through my old emails. We got this one and Cost of Participation was given to Sharon.

M

Mandy Downes | Director (Tues, Wed, Thurs)

Policy, Research and Planning | Sport and Recreation Services |

Department of National Parks, Recreation, Sport and Racing

T: 07 3338 9212 M: [redacted] F: 07 3898 0925

E: mandy.downes@npsr.qld.gov.au

From: Downes Mandy

Sent: Tuesday, 9 April 2013 12:52 PM
To: Deirdre Lawrence (Deirdre.lawrence@nprsr.qld.gov.au)
Cc: Paige Ridgewell (Paige.ridgewell@nprsr.qld.gov.au)
Subject: FW: CASRO Combat Sports Working Group

Deirdre

FYA. We should discuss.

Mandy

Mandy Downes | Director (Tues, Wed, Thurs)
Policy, Research and Planning | Sport and Recreation Services |
Department of National Parks, Recreation, Sport and Racing

T: 07 3338 9212 s4p4(6) Personal information F: 07 33898 0925
E: mandy.downes@nprsr.qld.gov.au

From: Egan, John [<mailto:john.egan@communities.nsw.gov.au>]

Sent: Tuesday, 9 April 2013 12:48 PM

To: 'kylie.taylor@sa.gov.au'; 'Bec Thomas'; Downes Mandy; 'paige.ridwell@nprsr.qld.gov.au'; 'evan.stewart@dsr.wa.gov.au';
'peter.hertan@sport.vic.gov.au'; 'Priest, Jenny'; 'phillip.leslie@nt.gov.au'

Subject: CASRO Combat Sports Working Group

Good afternoon

On behalf of Paul Doorn, Chair, CASRO Combat Sports Working Group, I am pleased to provide you with the draft report which NSW has prepared following consultation with and feedback from states/territories.

I apologise for the delay in providing you with a copy of the draft report (other work priorities!).

Thanks to you and your staff for providing information on combat sports in your jurisdiction.

Would you please provide me with any comments on the draft report by end April. We will then finalise and submit to CASRO for consideration at its next meeting.

In the meantime, if there are any questions please send me an email or give me a call.

John

John Egan
Director Participation and Partnerships
Sport and Recreation
Office of Communities
Department of Education and Communities
T (02) 9006 3756 F (02) 9006 3884 s4p4(6) Personal information
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RTI DL RELEASE - NPSR

From: Downes Mandy [Mandy.Downes@nprsr.qld.gov.au]
Sent: Wednesday, 3 July 2013 1:15 PM
To: HODGES Sharon
CC: Candiece Duclos (Candiece.Duclos@dnrm.qld.gov.au); Ridgewell Paige; PETTY Jen
Subject: Fighting Disciplines

This message has been archived. [View the original item](#)

Sharon.

Unfortunately, we are unable to meet with you today as we have other meetings that must be attended to.

Given that we can't meet could you please send through your concerns and we can respond to those directly.

From what we have discussed previously, including concerns raised with Jen, your concerns appear to be very operational in nature and relate to potential implementation issues should the Minister decide to address the issue with option 4. The nature of the

RTI DL RELEASE - NPRSR

From: Hodges Sharon [Sharon.Hodges@npsr.qld.gov.au]

Sent: Wednesday, 3 July 2013 1:27 PM

To: Downes Mandy

CC: Candiece Duclos (Candiece.Duclos@dnrm.qld.gov.au); Ridgewell Paige; PETTY Jen; O'Neill Jo; Brandon Kym

Subject: RE: Fighting Disciplines

This message has been archived. [View the original item](#)

Thanks Mandy

I will proceed with a meeting between our team and legal services to explore what we see as potential risks. It may have been useful to have a policy representative to add more clarification. It seems to me we need to consider a few more practicalities or implications of the implementation to know if it is viable option.

Regards

Sharon

Sharon Hodges | Director

Industry Capacity and Events | Sport and Recreation Services |

National Parks, Recre

RTI DL RELEASE - NPSR

From: Downes Mandy [Mandy.Downes@nprsr.qld.gov.au]
Sent: Tuesday, 11 March 2014 9:55 AM
To: Lawrence Deirdre
Subject: Combat Sports

Follow Up Flag: Follow up
Flag Status: Flagged

Deirdre

Can we please progress correspondence to amend the Criminal Code for Combat Sports? We would like to get something formal in place.

Thanks

Mandy

Mandy Downes | Director
Policy, Research and Planning | Sport and Recreation Services |
Department of National Parks, Recreation, Sport and Racing

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The Queensland Plan: A 30-year vision for Queensland
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From: HODGES Sharon [Sharon.Hodges@npsr.qld.gov.au]
Sent: Wednesday, 12 March 2014 1:42 PM
To: Gapsa Stephen
CC: O'Neill Jo; Lawrence Deirdre
Subject: combat sports
Attachments: Combat Sports_140307 DRAFT JS.docx

Hi Stephen

Please find attached the amended combat sport brief. Since some of the information in the background was a repeat of the paper I cut it back a little to keep to one page. I made some other amendments to the brief to reflect that we are not yet committed to the Tasmanian model.

Happy to discuss

Kind Regards
Sharon

Sharon Hodges | Director
Industry Capacity and Events | Sport and Recreation Services |
National Parks, Recreation, Sport and Racing
T: 07 3338 9248 | [www.npsr.qld.gov.au](#) s4(6) Personal information

RTI DL RELEASE - NPSR

Title: Update Combat Sports Working Group

Purpose

1. To provide an update on progress made by the CASRO Combat Sports Working Group

Recommendations

2. That the Director-General:
 - Notes the contents of the brief.

Background

3. New South Wales chairs the Committee of Australian Sport and Recreation Officials (CASRO) Combat Sports Working Group (Working Group) to investigate key issues in combat sport regulation that could be addressed in a nationally consistent manner across jurisdictions.
4. At the last CASRO meeting (i.e. 26/09/2013) Mr Paul Doom (NSW) verbally briefed on progress made to standardise forms to improve the ability to share information in a consistent manner as attached in the paper.
5. The Working Group has conducted a review of the 'Clearance to Compete' documents to be presented to all individual Boards/Authorities in each jurisdiction for their own consideration.
6. The use of the proposed document is a sensitive issue given that the information to be used to populate the form will constitute the personal and health related information of each combatant. Therefore, such a template must comply with relevant health privacy legislation in each jurisdiction.

Key Issues

7. Jurisdictions with combat sports authorities/commissions, especially New South Wales and Victoria, have actively encouraged Queensland to adopt similar regulatory models. Under these models, contestants and industry participants, particularly in the professional parts of the combat sports sector, require promoters to obtain permits to conduct contests and participants to register to compete. These legislative regulatory models incur significant budget commitments to establish and continue to incur very high annual administrative/operational costs for government to deliver.
8. Alternatively, Tasmania has introduced an approach that involves minimal regulation. It is an industry partnership model requiring contests to be mandated by sanctioning bodies that are recognised by the Tasmanian Government.

Implications for Queensland

9. Queensland does not currently regulate combat sports.
10. While Queensland is committed to reducing unnecessary regulatory burden, particularly for those combat sports which are successfully self-regulating, there is a desire to improve safety, integrity and risk mitigation measures across combat sports disciplines and activities.
11. Queensland supports, in principle, developing guidelines for greater national consistency for the identified combat sport priority areas.
12. The Working Group has previously been advised that Queensland is still considering options in relation to improving standards of practice across both amateur and professional parts of the combat sports sector through investigation of both regulatory and non-regulatory solutions.
13. On 25 January 2014, the Minister approved for Queensland to progress work on a recommended option to improve fighting discipline standards via a Government Industry Partnership Approach with compliance enforcement through the *Criminal Code Act 1899* and *Police Powers and Responsibilities Act 2000*.
14. Queensland is now investigating the implementation of this partnership model and has commenced discussions with Queensland Police Service regarding the relevant Act amendments.

From: Gapsa Stephen
Sent: Wednesday, 26 March 2014 1:40 PM
To: HODGES Sharon
CC: Lawrence Deirdre; PETTY Jen
Subject: The Queensland Combat Sport Industry: Code of Practice XXXXXX 2011 (File Copy Final) and A List of the Stakeholders that were Consulted
Attachments: 20140326132657.pdf; Att 2_Accreditation_Input.doc

Hi Sharon,

Please find attached a copy of [The Queensland Combat Sport Industry: Code of Practice XXXXXX 2011](#) (NB. File Copy Final).

Also attached is a file named 'Accreditation_Input' that lists the stakeholders that were consulted in relation to the Code of Practice.

The copy the draft Code of Practice was retrieved from the file: SRQ11/336.

Kind regards

Stephen

Stephen Gapsa

Senior Policy Officer

Policy Research and Planning Branch

Department of National Parks, Recreation, Sport and Racing

Level 8, 111 George Street, Brisbane Q 4000 | PO Box 15187, City East Q 4002

Email: Stephen.Gapsa@nprsr.qld.gov.au

Ph: 07 3338 9224

Fax: 07 3898 0925



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The Queensland combat sport industry: **Code of Practice** XXXXXX 2011



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Table of Contents

Minister's foreword

Signatories

The Code

Health, safety and risk management

1. Improve the health of participants
2. Modify rules for young participants
3. Set minimum and maximum age limits for *competitive fights*
4. Provide safe, fair and balanced *competitive fights*
5. Minimise the incidence and severity of injury and disability
6. Train and accredit volunteers, coaches and officials
7. Identify and manage risks
8. Supply facilities suitable for participants and spectators
9. Establish processes to resolve complaints and enforce penalties

Glossary

Additional information

Minister's foreword



The Queensland Government is committed to ensuring Queenslanders are Australia's healthiest people.

As you are aware, combat sports, like many other sport and recreation activities, have the ability to improve participants' physical and psychological health.

However, they do present risks and dangers if they are not managed appropriately. It is the combat sport industry's responsibility to ensure this happens in a fun, safe and fair environment.

Regardless of whether you're a trainer, promoter or committee member, we are all aiming to serve the best interests of combat sport participants. The public has a right to expect the same high levels of safety and ethical behaviours from all of us, no matter what job we perform.

This Code of Practice is a result of thorough consultation with the combat sport industry and key Queensland government agencies. Industry directly contributed to the Code, as part of a positive collaboration with the Queensland government. The Code aims to set minimum standards for the combat sport industry to assist it to provide safe sport and recreation activities that can contribute to the health and wellbeing of individuals. It will assist combat sport entities grow their membership base, manage risk and deliver a safe and fun sport or recreational environment.

The Queensland Government and combat sport industry will come together in January 2013 to review the effectiveness of the Code and also the ability of the industry to self-regulate and provide a coordinated, fun and safe service. I have every confidence that the combat sport industry will continue to show Queenslanders how safe and enjoyable their sport is by adhering to this Code of Practice.

Phil Reeves MP

Minister for Child Safety and Minister for Sport

Signatories

Insert names and badges of combat sport entities that agree to comply with this Code. The Code will be sent to all known entities with a letter from the Minister requesting their signature and approval before the first release date.

RTI DL RELEASE - NPSR

The Code

This is a voluntary Code that we, the signatories, commit to comply with at all times. The Code describes how we will conduct ourselves in delivering safe and accountable services for combat sport participants. As a requirement of agreeing to this Code, we are required to develop and release to our members and participants, our own set of principles or rules that directly relate and comply with this Code.

We agree, for the purposes of this document, that a *competitive fight* is a combat sport where two or more combatants compete against each other with the primary objective of beating their opponent, regardless of whether it is classified as a public, private, amateur or professional fight. We agree, that *combat sports* are defined as:

- boxing, kickboxing, fist fighting or sparring;
- a contest where the intention is to strike, kick or otherwise inflict blows on the opponent; and
- a sport or activity in which each participant or contestant of that sport or activity is required to strike, hit, grapple with, throw or punch the other contestant.

The Code is framed around a set of three key *values*. It also contains *standards of practice* for each value. The key values are:

1

Health

2

Safety

3

Risk management

These are the fundamental values of ethical behaviour essential to a safe, robust and sustainable combat sport industry. We, the signatories, will continuously encourage and promote these values in our internal and external relationships.

The values are strengthened by standards of practice that describe the behaviour that demonstrate the values. The values and associated standards of practice are equally important.

Additional information is contained in the Code under each standard. This helps us as individuals and organisations to understand how we put these values and standards into practice. The additional information is not intended to cover every possible scenario, therefore in adhering to the Code, we are committed to upholding the intention and spirit of the values and standards.

As well as upholding the values and standards set out in this Code, we will also comply with all relevant legislation, awards, agreements, directives, policies and standards. We will also adhere to the values, policies and guiding principles of the organisation we represent.

As part of demonstrating our commitment to uphold this Code, we, and associated participants, clients, volunteers, coaches, officials, and spectators agree to identify and report conduct that is not consistent with this Code to the Queensland Minister for Sport.

Values

- Agreed to by representatives from the combat sport industry.
- Fundamental ethical goals shared among the industry.

Standards of practice

- Statements that reflect and support the values.
- Provide a detailed explanation of what is required to fulfil the values.

Values

Health, safety and risk management

In recognition that participants reasonably expect a safe environment to participate in combat sports, we, the signatories:

1. commit to improving the physiological, psychological and social health of all participants;
2. recognise that young people are particularly vulnerable and require modified, age based rules for *competitive fights*;
3. acknowledge that *competitive fights* are only appropriate for certain age groups and set minimum and maximum age limits for *competitive fights*;
4. endeavour to provide safe, fair and balanced contests on the basis of age, sex, weight and skill level;
5. ensure that effective and appropriate safety equipment is used to minimise the incidence and severity of injury and disability;
6. guarantee that volunteers, coaches and officials have been effectively trained and have received relevant accreditation;
7. acknowledge the inherent risks that *concussion*, exchanges of bodily fluid, injuries and other medical ailments pose in combat sports and take action to manage these risks;
8. guarantee that facilities are effectively designed and operated for participants, spectators and other users; and
9. seek to establish fair, transparent and consistent processes to resolve complaints and enforce penalties for poor behaviour.

Standards of practice

1. Improve the health of all participants

Sport and recreation can produce positive social¹, physical² and economic³ benefits. We have an obligation to ensure participation in combat sports is enjoyable and encourages active and healthy lifestyles. We agree to:

- a. develop training and exercise schedules suitable to a participant's physical ability and skill;
- b. discourage the consumption of alcohol; and
- c. prohibit the use of recreational and performance enhancing drugs.

2. Modify rules for young participants

Young people are particularly vulnerable in high risk situations due to their physical and mental immaturity. Research suggests that young people respond more positively to sport and recreation experiences when they are tailored to their physical and mental capacity^{4, 5}.

Therefore, we will ensure young participants have:

- a. access to modified and age specific versions of the sport; and
- b. the ability to withdraw from a *competitive fight* if they wish.

¹ Penedo, F., & Dahn, J. R. (2005). Exercise and well-being: A review of mental and physical health benefits associated with physical activity. *Current Opinion in Psychiatry*, 18(2), 189-193.

² Warburton, D., Nicol, C. W., & Bredin, S. (2011). Health benefits of physical activity: The evidence. *Canadian Medical Association*, 174(6), 801-809. doi: 10.1503/cmaj.051351.

³ Hone, P., & Silvers, R. (2006). Measuring the contribution of sport to the economy. *The Australian Economic Review*, 39(4), 412-419.

⁴ Salmon, J. Booth, M. L., Phongsavan, P., Murphy, N., & Timperio, A. (2007). Promoting physical activity participation among children and adolescents. *Epidemiologic Review*, 29(1), 144-159. doi: 10.1093/epirev/mxm010.

⁵ Stathi, A., Gillison, F. B., & Riddoch, C. J. (2008). Opportunities and challenges in physical activity research in young people. *Journal of Science and Medicine in Sport*, 12(5), 515-517.

3. Set minimum and maximum age limits for *competitive fights*

The nature of *competitive fights* in combat sports is such that it places significant pressures on the body that some age groups are not able to manage safely. We have an obligation to protect these individuals and will set appropriate minimum and maximum age limits for *competitive fights*. This does not prevent these individuals from training and participating in other elements of the combat sport.

4. Provide safe, fair and balanced contests

A *competitive fight* between two disproportionately matched combatants may result in severe injury⁶ and even death⁷. To avoid such circumstances, we will employ checks and balances that aim to provide a fair and balanced fight based on the combatants':

- a. sex;
- b. weight;
- c. age; and
- d. skill (i.e. rank, competition experience, wins/losses etc).

To strengthen these checks and balances, we will ensure accurate record keeping of a combatant's fight history, which at a minimum, records their win/loss ratio, type of win/loss (e.g. points/technical knock out/knock out), competition description, weight, injuries sustained and medical notes (if required).

⁶ Zazrn, T. R., Finch, C. F., & McCrory, P. (2003). A 16 year study of injuries to professional boxers in the states of Victoria, Australia. *British Journal of Sports Medicine*, 37(4), 321-324.

⁷ State Coroner Victoria (2005). *Record of investigation in death*, Case 1001/01. Melbourne: Unpublished.

5. Minimise the incidence and severity of injury and disability

Safety equipment may reduce the incidence and severity of injury in combat sports⁸. Where rules of the sport permit, we will ensure participants use beneficial safety and protective equipment when full body contact is likely. For example:

- a. shoes;
- b. head gear;
- c. mouth guards;
- d. bandages and strapping tape;
- e. padded hand gloves, shin pads, foot pads, groin protectors and breast protectors; and
- f. specialty safety equipment for people with orthodontic braces, visual aids (i.e. contact lenses) and similar.

6. Train and accredit volunteers, coaches and officials

Volunteers, coaches and officials are the lifeblood of combat sports. They often play a key role in maintaining safety for participants and we agree to:

- a. ensure officials and coaches gain relevant accreditation from governing bodies and/or the Australian Sports Commission;
- b. develop strategies to attract and retain volunteers, coaches and officials involved in our sport;
- c. provide clear developmental pathways for volunteers, coaches and officials; and
- d. reward and compensate volunteers, coaches and officials for their involvement and dedication.

⁸ Zazryn, T. R., & McCrory, P. R. (2008). Neurologic injuries in boxing and other combat sports. *Neurologic Clinics*, 26, 257-270.

7. Identify and manage risks

In recognition that *competitive fights* present unique health risks, we will:

- a. mandate that an accredited official, with the power to cancel or stop a *competitive fight* at any time, will oversee *competitive fights*;
- b. set a minimum timeframe for participants to refrain from participating following *brain injury* and/or *concussion*;
- c. set an extended minimum timeframe for participants to refrain from participating following multiple successive brain injuries and/or *concussions*;
- d. set a maximum number of *competitive fights* that a combatant can participate in per day, week, month and year;
- e. introduce measures to prevent the transmission of blood borne diseases and viruses, including the human immunodeficiency virus (HIV) and Hepatitis B and C;
- f. provide a *medical practitioner* to oversee high risk *competitive fights* (competitive fights with a high probability of inflicting serious injury or death on participants) and give them the power to intervene and stop the *competitive fight* for any medical reason; and
- g. ensure each combatant, in high risk *competitive fights*, receives approval from a *medical practitioner* to compete.

8. Supply facilities suitable for participants and spectators

Proper planning of a sports facility is crucial for any recreational environment to be successful⁹. We will:

- a. provide suitable facilities and equipment for participating in combat sports;
- b. set standards or rules for the responsible service of alcohol that comply with all relevant regulations; and
- c. ensure access and amenities are appropriate for the facility's size and level of use (e.g. drinking water dispensers, canteen, toilets, showers, access, fire exits etc).

9. Establish processes to resolve complaints and enforce penalties

We will establish and use set processes to deal with:

- a. complaints;
- b. actions that break this and our related Code;
- c. rough, dangerous or illegal conduct during participation or at related events;
- d. cheating and doping; and
- e. match-fixing and any associated corruption in sport.

⁹ Seidler, T.L. (2006). Planning and designing safe facilities. *Journal of Physical Education, Recreation & Dance*, 77(5), 32-37.

Glossary

Brain injury:	Any damage to the brain that occurs after birth.
Combat sports:	Boxing, kickboxing, fist fighting or sparring; a contest where the intention is to strike, kick or otherwise inflict blows on the opponent; or a sport or activity in which each participant or contestant of that sport or activity is required to strike, hit, grapple with, throw or punch the other contestant.
Competitive fight:	A combat sport where two or more combatants compete against each other and the primary objective of a combatant is to beat their opponent. This can be in a public or private (e.g. training) format and can be at the amateur or professional level.
Concussion:	A traumatic injury to brain tissue as a result of a violent blow, shaking, or spinning.
Medical practitioner:	A person registered under the <i>Health Practitioner Regulation National Law</i> to practise in the medical profession (other than as a student).

Additional information

If you need assistance about how this Code relates to you, please contact your local combat sport provider.

For further advice about the operation of this Code or becoming a signatory to the Code, you may wish to contact Sport and Recreation Services, Department of Communities on x@communities.qld.gov.au or XX XXXX XXXX.

Copies of this Code of Practice, plus additional supporting information can be accessed at www.sportrec.qld.gov.au

RTI DL RELEASE - 100R

Notes

RTI DL RELEASE - NPSP

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RTI DL RELEASE - NPSR

Stakeholder	Accreditation – Combat Sport Industry Input
<div data-bbox="179 579 448 611" data-label="Text">sch4p4(6) Personal information</div> <div data-bbox="179 635 448 667" data-label="Text">Taekwondo Qld Inc</div>	<div data-bbox="461 579 2047 699" data-label="Text"> <p>I've also been thinking more on the issue of accreditations as requested for further comment. My suggestion in this regard is that 'accreditation' should be, as a minimum, the General Principles online accreditation for coaches and officials through the ASC website PLUS a sport specific accreditation recognised by the sport's State or National Association. I also suggest that this should apply to both coaches and officials.</p> </div>
<div data-bbox="179 722 448 754" data-label="Text">sch4p4(6) Personal information</div> <div data-bbox="179 794 448 1074" data-label="Text"> Australian Jujitsu Federation & Martial Arts Queensland, (Brazilian Jujitsu, Kickboxing, MMA, Jujitsu/Self-defence Academy) </div> <div data-bbox="179 1505 302 1528" data-label="Text">RTI 14-365</div>	<div data-bbox="461 707 2047 762" data-label="Text"> <p>From [redacted] page 11 section 6a: Ensure official and coaches gain relevant accreditation form governing bodies endorsed by the Australian sports commission</p> </div> <div data-bbox="461 794 2047 882" data-label="Text"> <p>From [redacted] President: After reading of the minutes on this item is that submissions may be made opposing ASC endorsement and seeking to considerably water down the meaning of accreditation and substitute with an on-line general principles course. In light of this my feeling is it could be prudent to provide justification for our position and a possible alternative solution.</p> </div> <div data-bbox="461 914 2047 1010" data-label="Text"> <p>Attending a general principles course (as was suggested) is not accreditation, (while we should probably be referring to the NOAS officiating program rather than NCAS coaching program or more correctly both programs) ... and has little if any value in relation to a person's competence within any particular combat sport.</p> </div> <div data-bbox="461 1042 2047 1161" data-label="Text"> <p>The whole concept of accreditation (NCAS / NOAS) is that it is sport specific and that a NCAS / NOAS accredited person has the knowledge and technical competence required within that sport discipline. The ASC acknowledges the difference between completing the general principles, which uses examples that can be totally irrelevant to combat sports, and completing the requirements of sport specific accreditation.</p> </div> <div data-bbox="461 1193 2047 1257" data-label="Text"> <p>I'll refrain from commenting on the suggestion of the MAIA, you are already aware of the past reservations the ASC and other bodies in the combat sports industry have had in relation to the MAIA.</p> </div> <div data-bbox="461 1289 2047 1377" data-label="Text"> <p>The key here surly must be that officials and coaches have satisfied a recognised authority that they have the knowledge and are appropriately competent to provide the duty of care necessary within the specific combat sport to officiate and or coach within that sport.</p> </div> <div data-bbox="461 1409 2047 1536" data-label="Text"> <p>The reasons for proposing that governing bodies be recognised by the ASC, which is really by the '<i>Australian Government through the ASC</i>', go not only to the NCAS or NOAS programs, but additionally to the other commitments that underpin this recognition - all accredited persons have committed to: a Code of Behaviour approved by the ASC; an approved member protection policy – which encompasses child welfare; the anti-doping policy approved by ASADA; together with many other obligations.</p> </div> <div data-bbox="461 1568 2047 1592" data-label="Text"> <p>The combat sports industry unfortunately can attract individuals to establish themselves as qualified in a wide range of differing</p> </div>

	<p>marital arts without the requirement to present their credentials before any form of recognised tribunal. Adding an on-line course to their resume is no substitute for a valid process of accreditation.</p> <p>An alternative solution to Australian Government recognition through the ASC might be establishing an authority in Queensland that could review the credentials of combat sports that are not able to satisfy the criteria of the ASC. Such an authority might be comprised of representation from combat sports who are recognised by the Australian Government; have knowledge and understanding of the disciplines that comprise the combat sport industry; and recognise the value of an effective Code of Practice within Queensland.</p> <p>Another consideration ... I note by the minutes that Taekwondo Queensland took a significant lead at the meeting however I understand they may not currently have recognition through the ASC ... Taekwondo have previously met those criteria and conducted accreditation courses approved under the ASC program. Additionally given their international position with the IOC, I'd propose they would be an excellent example of a combat sport organisation that should be listed as a recognised governing body within Queensland for the purpose of the Code of Practice and conducting accreditation for their membership.</p> <p>It may also be the case that many of the combat sports that trade under the listing of mixed martial art (MMA) have coaches and or officials who have trained and qualified in a specific combat sport discipline, and they have moved to MMA as a marketing necessity. This could be assessed by the proposed 'authority' and it may well be that they would have access to accreditation through one of the recognised combat sports ... by example the Australian Jujitsu Federation in addition to jujitsu has approval to administer the NOAS and NCAS programs for: aikido, Brazilian jiu-jitsu, Hapkido, and kenpo; and does do so.</p> <p>In developing a voluntary Code the Minister in his foreword places responsibility for appropriate management with the combat sport industry ... The concern I have in reading the comments in the minutes under - 'trained and accredited volunteers, coaches and officials' - is that current national accreditation standards not be watered down. Such action could well leave recognised governing bodies in a compromised position.</p>
<p>sch4p4(6) Personal information</p> <p>MMA Officials Australia</p>	<p>already have an accreditation course and training system designed and in place for NSW. I have also travelled to Singapore where I trained and accredited MMA officials for some of the leading MMA pioneers of several Asian countries.</p> <p>I understand that the Minister is trying to cover all the combat sports with one code and I believe he is doing a great job much more thorough then that in NSW but when it comes to training and accrediting officials and not yet discussed appointment of officials to the contests, there is an overwhelming difference between the matted combat sports and even MMA and the other cage and ring combat sports.</p> <p>Officials for matted combat sports do not have the same level of responsibility or demands placed on them as officials do for amateur or pro cage and ring events. I am not trying to undermine the role or responsibility of the matted combat sports officials</p>

	<p>because they do have an extremely important role and must be trained at a high level but a cage or ring fighters safety and livelihood depends on an officials knowledge and ability to referee or judge a bout accurately.</p> <p>It is important for the Minister to understand that there cannot be the same accreditation process for matted combat sports as there is for the amateur and pro ring and cage combat sports, especially MMA.</p> <p>The final addition is that there is no combat sport with the diversity of techniques as those used in MMA and for this reason officials need to be not only accredited but have ongoing training and mentoring similar to an apprenticeship this is the only way to become a fully qualified and educated MMA official. <i>[Possible solution: Officials for high risk contests such as amateur or professional cage and ring combat sports contests in Mixed Martial Arts, may need to undergo ongoing training and mentoring to ensure</i></p>
sch4p4(6) Personal information Muaythai Australia	<p>The only thing I have to say about the accreditation requirements is that they should be given by the sporting body that take care of that particular sport example: Muaythai Australia for Muaythai, Tae Kwon Do Australia for Tae Kwon Do, MMA for MMA, Boxing for Boxing etc, you cannot have people getting accreditation requirements from sports they know nothing about.</p>
sch4p4(6) Personal information Queensland Karate Association Inc.	<p>Regarding the minimum accreditation requirements for coaches and officials, the Queensland Karate Association Inc. clearly defines these in accordance with the stipulations of international and national bodies for karate. The other organisations involved in considering the draft Code probably have their own arrangements too. This being so, we feel that the original definition is satisfactory, namely:</p> <p>"Ensure officials and coaches gain relevant accreditation from governing bodies and/or the Australian Sports Commission."</p> <p>This avoids the Code being overly pedantic but ensures that signatories to the Code commit to providing structures for achieving appropriate accreditation, in the knowledge that their arrangements could face legal scrutiny at some future date..</p> <p>The draft Code should ideally mention the importance of volunteers, coaches and officials who have contact with children to hold a 'Blue Card'.</p>
sch4p4(6) Personal information PCYC Police-Citizens Youth Clubs QLD,,	<p>This is one of the major problems we face as a deliverer of multisports across such a big footprint that we have around Queensland.</p> <p>The easy option is to simply require everyone to join the recognised State body of the sport and undergo the training they should be responsible to deliver as part of the funding paid to them as the State Body of that sport. If it was only that easy!!</p> <p>Those groups that are prepared to align themselves with the state bodies are or should be covered off if those State bodies are doing their job. (This doesn't always occur to lack of coverage by training/development officers which is often south east centric)</p> <p>The difficulty is for those groups who are passionate about their sport and in many cases very experienced and skilled but for a</p>

	<p>number of reasons will not join the recognised State Body of the sport – often this is personalities or conflicts in the belief of how the sport should be delivered. If we strike out those from coaching unless they are aligned with the State Body we would not be able to deliver the sport in some regional areas.</p> <p>Those sports where there are splits in the sport administration should require the State body of the sport to develop a working party to assess the capacity within the breakaway group to safely instruct their participants even though the philosophies may be disparate. It should be incumbent on the recognised State Bodies to still work with the other deliverers of the sport to try and increase participation. The State Body should be responsible for assessment of any stated accreditation or memberships and as long as the non-recognised body participates or is prepared to participate in any recognised coaching program that is assessable and the coaches experience can be substantiated then those groups should be able to access the same benefits as the recognised State body.</p>
<p>sch4p4(6) Personal information</p> <p>Judo Queensland [Judo Federation of Australia (Qld) Inc.]</p>	<p>1 Accreditation:</p> <p>Judo would support a minimum standard being:</p> <ul style="list-style-type: none"> • Coaches and Officials have the ASC level 1 on line general principles training module (NCAS or NOAS), and • Persons (coaches & promoters) have eligibility for the blue card even if they will not expect to work with people under 18 – to discourage criminal involvement • They have a current first aid certificate (coaches/trainers only) <p>2 Other comments: - purpose of the code</p> <ul style="list-style-type: none"> • One of the residual concerns we have with the voluntary code is the issue of who cites breaches, and what consequences there should be. Our sport is particularly concerned that the Government would in time be seduced into linking code issues to funding eligibility criteria etc. The current code does not contemplate adequate citing, judging and rectifying procedures for it to be used in that way. • It probably needs to be said in the document that it is setting a standard but will not replace administrative or legal precedent/framework which would replace other processes such as those for disputes and appeals or handling complaints as set out in member protection policies etc.

From: GAPSA Stephen
Sent: Thursday, 8 May 2014 1:15 PM
To: LAWRENCE Deirdre
Subject: RE: Combat Sports Proposed Minimalist Regulation in Queensland - Operational Model
Attachments: 140508 Enhancing the Self-Regulation of the Queensland Combat Sports Industry.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Hi Deirdre,

As per your below request please find a draft three (3) page operational model that describes options available to Queensland (based on the Tasmanian model and experience of minimalist regulation, enforced by the Tasmanian Police).

I note that NSW also enables Police to enforce a similar provision in section 65 [Direction by police officer to stop contest](#) in the **Combat Sports Act 2013** (NSW):

A police officer present at a [combat sport contest](#) may direct the [referee](#) to stop the contest if, in the police officer's opinion, there is a risk to public health or safety or of substantial damage to property if the contest were to continue.

In the NSW approach an officer must be present whereas in the Tasmanian and proposed Queensland model a police presence is not required.

Please let me know of any changes to the operational model.

Cheers,

Stephen

Stephen Gapsa
Senior Policy Officer
Policy Research and Planning Branch
Department of National Parks, Recreation, Sport and Racing

Level 8, 111 George Street, Brisbane Q 4000 | PO Box 15187, City East Q 4002

Email: Stephen.Gapsa@nprsr.qld.gov.au

Ph: 07 3338 9224

Fax: 07 3607 2276



From: LAWRENCE Deirdre
Sent: Thursday, 8 May 2014 12:09 PM
To: GAPSA Stephen
Subject: operational model

Hi Stephen

Can you please provide me with the operational model (no more than 3 pages) for midday tomorrow.

We will need to send this to Paula to provide input on Monday.

Regards

Deirdre

Deirdre Lawrence | Manager

Policy and Governance

Policy Research and Planning | Sport and Recreation Services |

[Department of National Parks, Recreation, Sport and Racing](#) |

T: 07 3338 9222 | F: 07 3898 0925

RTI DL RELEASE - NPSR

Enhancing the Self-Regulation of the Queensland Combat Sports Industry

Queensland and the Northern Territory are the only Australian jurisdictions not to specifically regulate combat sports such as boxing, kickboxing, wrestling and martial arts. All Australian jurisdictions that do regulate combat sports, except Tasmania, have stand-alone legislation, with linked subordinate legislation. Tasmania administers a minimalistic combat sport regulatory model.

Combat sports in Queensland are self-regulated with their own competition rules or codes. There are no laws or prescribed minimum standards that regulate competitions. While Queensland does not have specific combat sport laws, there are provisions in the *Summary Offences Act 2005* (Qld) and the *Criminal Code* (Qld) that do apply in the absence of stand-alone combat sport legislation.

Policy Problem(s)

In Queensland there is an absence of information of what constitutes best practice in the combat sports industry to encourage certain wanted and discourage other unwanted behaviours.

- (1) Queensland has no minimum health, safety and public standards of behaviour to manage the *expectations* of the government, combat sports participants and the community to guide the self-regulation of amateur and professional contests in the combat sports industry.
- (2) There is ambiguity on the Queensland Statute Book on the legality or illegality of actions such as striking, kicking, hitting, grappling, throwing or punching in combat sports and the role of the Queensland Police Service (QPS) to enforce applicable Criminal Code provisions.

Market Failure – Incomplete Information – Queensland Combat Sport Industry

The Department of Treasury and Trade's *Regulatory Impact Statement System Guidelines* (2013, p.53) list the types of market failure that include (1) incomplete property rights; (2) market power; (3) incomplete information; and (4) missing and incomplete markets. If markets fail then government may need to respond to improve outcomes for the community and industry. Regulation is one of several options available to government to address a market failure, others options include:

- directly providing services
- affecting process by applying taxes and subsidies
- providing information.

In Queensland there is no State body, nor is there a national body, responsible for combat sports as a whole. Many combat sport organisations are not affiliated with a governing body, or do not have a governing body, that would facilitate consistent, effective and standardised self-regulation, such as ensuring suitable risk management, minimum health, safety and public standards of behaviour.

When market failure arises from incomplete information to the community and industry a Code of Practice will improve industry standards, promote best practice and public confidence. A Code of Practice will provide important information by describing suitable best practice standards. In 2013, Tasmania implemented its *Standards for Boxing and Combat Sport Contests* (June 2013) that is a regulatory model that compliments section 49B(1) of the *Police Offences Act 1935* (Tas).

Queensland – Government-Industry Partnership Approach

On 25 January 2014, the Hon. Steve Dickson, Minister for National Parks, Recreation, Sport and Racing (NPRSR) approved the Department to progress work on minimalist regulation and industry standards that are similar to the regulatory model that was implemented by Tasmania in June 2013.

The Minister considered the *Improving Standards of Practice for Fight Disciplines in Queensland* (Options Paper) that detailed four viable options: (1) Continuation of self-regulation in Queensland; (2) Relying on provisions under existing legislation governing workplace safety, compensation and liability; (3) Establishing stand-alone legislation and a fight discipline authority/board; and (4) a Government-Industry Partnership Approach (minimal regulations and a set of industry standards).

NPRSR's Industry Capacity and Events Unit are developing a government-industry model for a Code of Practice (the Code). The Code will provide the necessary best practice standards to encourage improved risk management and promote the health and safety of industry participants. The Code will address the lack of information available to government, industry and the community and provide contestants and the public with a greater level of information to manage any likely risks. The Code will be voluntary and will address the market failure problem of any incomplete information.

Queensland – Enforce the Criminal Code

Intervention by the Queensland Government, by way of the Queensland Police Service, is warranted when a person's behaviour infringes the criminal law, as set out in the Queensland Criminal Code. Public policy is that properly conducted combat sports are needed in the public interest. It is accepted that combat sports contests are legal except when they pose a risk to the health or safety of participants or when public standards of behaviours may constitute a breach of the peace.

Proposed amendment to *Police Powers and Responsibilities Act 2000*, Chapter 2 General enforcement powers, Part 6 Breaches of the peace, riots and prevention of offences:

52A Power of the Commissioner of Police to prevent offences in combat sport contests

1. Where the Commissioner of Police is of opinion that it is fitting –
 - a. for the health and safety of the participants in a combat sport contest; or
 - b. to prevent a breach of the peace or danger to a contestant or other person –so to do, with the consent of the Minister, enable a police officer to prohibit or otherwise regulate the holding of a combat sports contest.
2. A person holding or organising or managing a combat sport contest which, or any part or time of which, is held contrary to a prohibition in section 52A(1) is guilty of an offence and is liable on summary conviction to a penalty not exceeding 20 penalty units.

A combat sport contest includes, but is not limited to boxing, kickboxing, wrestling and martial arts.

Section 52A in the *Police Powers and Responsibilities Act 2000* could relate to the prevention of offences in the Criminal Code, which would most likely include 72 Affray and 74 Prize fight.

74 Prize fight – Criminal Code

74 in the Criminal Code enables a person who is a contestant, spectator or an aider or an abettor to a prize fight to be guilty of a misdemeanour and to be liable for one year's imprisonment.

The *Criminal Code Act 1899* (as at 1934, p.718) contained a note in relation to 74 Prize Fight that stated: *For the common law, see Halsbury's Laws of England (2nd ed.), Vol. 9, p. 313.* At p.313 of *Halsbury's Laws of England – Being a Complete Statement of the Whole Law of England* in Volume IX the text determined that prize fighting occurs within the context of an unlawful assembly:

481. Prize-fighting is illegal, and a meeting for the purpose of holding a prize-fight is an unlawful assembly, and all persons present for the purpose of encouraging the principals to fight may be convicted of the offence of taking part in an unlawful assembly or of an assault.

482. All persons who convene or who take part in the proceedings of an unlawful assembly are guilty of the offence of taking part in an unlawful assembly. Persons present by accident or from curiosity alone without taking any part in the proceedings are not guilty of that offence, even though such persons possess the power of stopping the assembly and fail to exercise such power.

These two entries in *Halsbury's Laws of England* (1933) clarify that an illegal fight, known as a prize fight, was and is intrinsically linked with that of an unlawful assembly. Therefore, a contestant, spectator or an aider or an abettor to a prize fight can be guilty of being in an unlawful assembly. The *Criminal Code and Other Acts Amendment Bill 2008* relocated the offence of unlawful assembly from the Criminal Code (Qld) to section 10A in the *Summary Offences Act 2005* (Qld).

The Criminal Code (Qld) never has contained a definition of "prize fight". However, the definition and distinction between a prize fight and a boxing match was made in the common law.

Common Law – Defining an illegal prize fight versus a legal sparring exhibition

Bare knuckle fighting was often referred to as "prize fighting" whereas "sparring exhibitions" related to sport. In *R v Silvester* [1841] NSW SupC 15 (15 February 1841) Dowling, CJ of the Superior Courts of New South Wales ruled in a prize fight case in which one of the contestants had been killed. Later, in the case of *Pallante v Stadiums Pty Ltd* McInerney, McInerney J pointed out the common law approach that distinguished between self-regulated sports played within rules for participants and spectators and an unregulated prize fight with contestants and spectators that breach the peace.

In summing up the case of *Pallante v Stadiums Pty Ltd* McInerney J concluded that the common law authorities were inconclusive on what constituted a "prize fight" as opposed to what constituted a boxing (combat sport) contest. Hence, the determination of whether a match was an unlawful fight or a permitted boxing contest would ultimately be a question to be determined by a jury.

The case of *Pallante v Stadiums Pty Ltd* [1976] is a precedent case on the issue of consent and to what extent a contestant consents to being subjected to lawful assaults by an opponent. Of all the Australian jurisdictions to regulate combat sports, it is Tasmania that uses a minimalistic approach to regulate combat sport through provisions enforced by Police found in the *Police Offences Act 1935*. An opportunity exists in Queensland to amend the *Police Powers and Responsibilities Act 2000* to include a similar provision that relates to prevent fight-related offences under the Criminal Code.

From: GAPSA Stephen
Sent: Monday, 19 May 2014 10:00 AM
To: DEVENNY Paula; O'NEILL Jo
CC: LAWRENCE Deirdre
Subject: Draft SRS Regulatory Model for Combat Sports Industry in Queensland
Attachments: 140508 Enhancing the Self-Regulation of the Queensland Combat Sports Industry.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Paula and Jo,

Please find attached a draft regulatory model for SRS in relation to enhancing the self-regulation of combat sports in Queensland.

The proposed regulatory model consists of two parts:

- A Code of Practice (voluntary) – A Code of Practice that addresses the best practice elements for combat sports in Queensland; and
- Proposed amendment to the *Police Powers and Responsibilities Act 2000* – seeks to prevent the offences in the Criminal Code of Affray, Grievous bodily harm and Prize fighting.

Please consider and provide any feedback in relation to the draft. I am happy to discuss any elements in the draft paper.

Many thanks,

Stephen

Stephen Gapsa
Senior Policy Officer
Policy Research and Planning Branch
Sport and Recreation Services
Department of National Parks, Recreation, Sport and Racing

Level 8, 111 George Street, Brisbane Q 4000 | PO Box 15187, City East Q 4002
Email: Stephen.Gapsa@nprsr.qld.gov.au
Ph: 07 3338 9224
Fax: 07 3607 2276



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Section 52A in the *Police Powers and Responsibilities Act 2000* could relate to prevention of offences that include the Criminal Code's s.72 Affray, s.74 Prize fight and s.320 Grievous bodily harm.¹

¹ O'Reagan, R.S. (1992-1993) 'Consent to Assaults Under the Queensland Criminal Code', *University of Queensland Law Journal*, pp.287-291.

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From: Patching.RossP@police.qld.gov.au [mailto:Patching.RossP@police.qld.gov.au]
Sent: Thursday, 29 May 2014 7:58 AM
To: GAPSA Stephen; Nadine.Seifert@justice.qld.gov.au
Subject: RE: Combat Sports Reform in Queensland Letter dated 5 May 2014
Importance: High

Stephen,

I am the nominated person from PSBA but the Minister NPRSR letter of 5 May 2014 has yet to be brought to my attention.

Could you please send me a copy so I can get ahead of the game.

Regards

Ross Patching
Senior Sergeant
Senior Strategy Officer
Policy Unit

Public Safety Business Agency

t: +61 7 3364 4471 f: +61 7 3364 6353 e: Patching.RossP@police.qld.gov.au

Level 7, Queensland Police Headquarters, 200 Roma Street, Brisbane Qld Australia 4000 | GPO Box 1440 Brisbane Qld 4001 Australia



From: GAPSA Stephen [mailto:Stephen.Gapsa@nprsr.qld.gov.au]
Sent: Monday, 26 May 2014 9:45 AM
To: Nadine Seifert; Patching.RossP[PSBASTR]
Subject: Combat Sports Reform in Queensland Letter dated 5 May 2014

Hi Nadine and Ross,

I refer to the Minister NPRSR letter on 5 May 2014, each sent separately to the Attorney-General and Minister for Justice and the Minister for Police, Fire and Emergency Services.

NB. The NPRSR reference for the letter was **CTS 05938/14**,

Are you able to inform me if you have been nominated to respond to the letter of 5 May 2014 or, alternatively, if another officer in your agency has been assigned the task of responding to the letter?

On Friday 23 May 2014 I was informed that my Minister will be having a meeting soon on the issue of combat sport and therefore I shall have to brief in terms of any responses and likely progress made to date.

If you have any questions relating to this email please email or call me on (07) 3338 9224.

Many thanks for any help you may be able to provide.

Cheers,

Stephen

Stephen Gapsa

RTI 14-365

File B

43 of 59

Release

Senior Policy Officer
Policy Research and Planning Branch
Sport and Recreation Services
Department of National Parks, Recreation, Sport and Racing

Level 8, 111 George Street, Brisbane Q 4000 | PO Box 15187, City East Q 4002

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From: DOWNES Mandy [Mandy.Downes@nprsr.qld.gov.au]
Sent: Tuesday, 17 June 2014 12:14 PM
To: O'NEILL Jo
CC: HODGES Sharon; GAPSA Stephen; LAWRENCE Deirdre
Subject: FW: PRP input into the SRS BN on Combat Sports
Attachments: 140508 Enhancing the Self-Regulation of the Queensland Combat Sports Industry.docx

Jo.

A few paras to include in the brief you are preparing on Combat Sports.

Regards

Mandy

Mandy Downes | Director
Policy, Research and Planning |
Sport and Recreation Services |
Department of National Parks, Recreation, Sport and Racing

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T: [07 3338 9212](tel:0733389212) | M Sch4p4(6) Personal information

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E: mandy.downes@nprsr.qld.gov.au

From: GAPSA Stephen
Sent: Tuesday, 17 June 2014 11:55 AM
To: DOWNES Mandy
Subject: PRP input into the SRS BN on Combat Sports

Hi Mandy,

Deirdre has passed the following input.

Please let me know of any changes.

Many thanks,

Stephen

Hi Jo,

Further to our discussion, please find information for your consideration to incorporate into the Briefing Note on Combat Sports:

- On 25 January 2014, the Minister NPRSR approved the Department to progress work on a government-industry partnership approach (similar to Tasmania) that involves articulating minimum industry standards and enabling regulatory enforcement only where a public fight discipline contest is deemed to pose a danger to health or safety of

contestants or under public standards of behaviour.

- On 5 May 2014, the Minister NPRSR wrote to the Attorney-General and Minister for Justice and the Minister for Police, Fire and Emergency Services to seek their support to explore amendments to the *Criminal Code Act 1899* and the *Police Powers and Responsibilities Act 2000* (PPRA 2000) to provide a legislative basis for the introduction of minimal regulation for combat sport in Queensland.
- On 10 June 2014, officers of the Policy, Research and Planning Branch held a meeting with Senior Sergeant Chris O'Shea, Queensland Police Service (QPS), to discuss the regulatory model proposed in the paper *Enhancing the Self-Regulation of the Queensland Combat Sports Industry* (refer Attachment 1). The QPS was of the view that the legislative amendments to the PPRA would need the voluntary Code of Practice for Combat Sports to be published to enable the QPS to properly administer and to enforce the PPRA powers relating to the regulation combat sports. The Code of Practice would guide and inform QPS officers in the enforcement of health, safety and public standards of behaviour at public combat sport contests to prevent or minimise injury or death.
- The QPS is working on a formal response to the proposed regulatory model. The QPS **advised** that any legislative amendments to be made would **preferably** need to be made before December 2014.

Kind regards

Stephen Gapsa

Senior Policy Officer

Policy Research and Planning Branch

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Enhancing the Self-Regulation of the Queensland Combat Sports Industry

Queensland and the Northern Territory are the only Australian jurisdictions not to specifically regulate combat sports such as boxing, kickboxing, wrestling and martial arts. All Australian jurisdictions that do regulate combat sports, except Tasmania, have stand-alone legislation, with linked subordinate legislation. Tasmania administers a minimalistic combat sport regulatory model.

Combat sports in Queensland are self-regulated with their own competition rules or codes. There are no laws or prescribed minimum standards that regulate competitions. While Queensland does not have specific combat sport laws, there are provisions in the *Summary Offences Act 2005* (Qld) and the *Criminal Code* (Qld) that do apply in the absence of stand-alone combat sport legislation.

Policy Problem(s)

In Queensland there is an absence of information of what constitutes best practice in the combat sports industry to encourage certain wanted and discourage other unwanted behaviours.

- (1) Queensland has no minimum health, safety and public standards of behaviour to manage the *expectations* of the government, combat sports participants and the community to guide the self-regulation of amateur and professional contests in the combat sports industry.
- (2) There is ambiguity on the Queensland Statute Book on the legality or illegality of actions such as striking, kicking, hitting, grappling, throwing or punching in combat sports and the role of the Queensland Police Service (QPS) to enforce applicable Criminal Code provisions.

Market Failure – Incomplete Information – Queensland Combat Sport Industry

The Department of Treasury and Trade's *Regulatory Impact Statement System Guidelines* (2013, p.53) list the types of market failure that include (1) incomplete property rights; (2) market power; (3) incomplete information; and (4) missing and incomplete markets. If markets fail then government may need to respond to improve outcomes for the community and industry. Regulation is one of several options available to government to address a market failure, others options include:

- directly providing services
- affecting process by applying taxes and subsidies
- providing information.

In Queensland there is no State body, nor is there a national body, responsible for combat sports as a whole. Many combat sport organisations are not affiliated with a governing body, or do not have a governing body, that would facilitate consistent, effective and standardised self-regulation, such as ensuring suitable risk management, minimum health, safety and public standards of behaviour.

When market failure arises from incomplete information to the community and industry a Code of Practice will improve industry standards, promote best practice and public confidence. A Code of Practice will provide important information by describing suitable best practice standards. In 2013, Tasmania implemented its *Standards for Boxing and Combat Sport Contests* (June 2013) that is a regulatory model that compliments section 49B(1) of the *Police Offences Act 1935* (Tas).

Queensland – Government-Industry Partnership Approach

On 25 January 2014, the Hon. Steve Dickson, Minister for National Parks, Recreation, Sport and Racing (NPRSR) approved the Department to progress work on minimalist regulation and industry standards that are similar to the regulatory model that was implemented by Tasmania in June 2013.

The Minister considered the *Improving Standards of Practice for Fight Disciplines in Queensland* (Options Paper) that detailed four viable options: (1) Continuation of self-regulation in Queensland; (2) Relying on provisions under existing legislation governing workplace safety, compensation and liability; (3) Establishing stand-alone legislation and a fight discipline authority/board; and (4) a Government-Industry Partnership Approach (minimal regulations and a set of industry standards). NPRSR's Industry Capacity and Events Unit are developing a government-industry model for a Code of Practice (the Code). The Code will provide the necessary best practice standards to encourage improved risk management and promote the health and safety of industry participants. The Code will address the lack of information available to government, industry and the community and provide contestants and the public with a greater level of information to manage any likely risks. The Code will be voluntary and will address the market failure problem of any incomplete information.

Queensland – Enforce Existing Provisions in the Criminal Code

Actions in combat sport, such as striking, kicking, hitting or punching are caught in the Criminal Code as criminal offences such as s.74 Affray; s.74 Prize fight and s.320 Grievous bodily harm. However, the law recognises these actions as lawful if individuals consent to a set of rules in a sport i.e. boxing.

Public policy is that properly conducted combat sports are needed in the public interest. In the common law it is accepted that combat sport contests are legal except when they pose a risk to the health or safety to participants or when public behaviour may constitute a breach of the peace.

The legislated public policy position is set out in the Criminal Code in Pt.2 'Offences against public order', Ch.9 'Breaches of the peace' that contains the offence of s.74 Affray and s.74 Prize fight. Also, in Pt.5 'Offences against the person and relating to marriage and parental rights and duties', Ch.29 'Offences endangering life or health' sets out the criminal offence of s.320 Grievous bodily harm.

Intervention by the Queensland Government, by way of the Queensland Police Service, is already warranted when a person's behaviour infringes criminal law offences, as set out in the Criminal Code. It is proposed however that legislative amendments are needed to clarify where combat sport behaviours become illegal (i.e. criminal acts), the penalties and police powers to prevent offences.

Importantly, the proposed self-regulatory approach will not mandate standards of practice or require the licensing of combat industry participants or events or recognition of industry bodies.

It is proposed that a provision be inserted in the *Police Powers and Responsibilities Act 2000* to confer powers on the Commissioner of Police to prevent, prohibit or stop combat sports contests.

Proposed amendment to Police Powers and Responsibilities Act 2000, Chapter 2 General enforcement powers, Part 6 Breaches of the peace, riots and prevention of offences:

52A Power of the Commissioner of Police to prevent offences in combat sport contests

1. Where the Commissioner of Police is of opinion that it is fitting –
 - a. for the health and safety of the participants in a combat sport contest; or
 - b. to prevent a breach of the peace or danger to a contestant or other person –so to do, with the consent of the Minister, enable a police officer to prohibit or otherwise regulate the holding of a combat sports contest.
2. A person holding or organising or managing a combat sport contest which, or any part or time of which, is held contrary to a prohibition in section 52A(1) is guilty of an offence and is liable on summary conviction to a penalty not exceeding 20 penalty units.

A combat sport contest includes, but is not limited to boxing, kickboxing, wrestling and martial arts.

Section 52A in the *Police Powers and Responsibilities Act 2000* could relate to prevention of offences that include the Criminal Code's s.72 Affray, s.74 Prize fight and s.320 Grievous bodily harm.¹

S.74 'Prize fight' – Criminal Code

S.74 in the Criminal Code enables a person who is a contestant, spectator or an aider or an abettor to a prize fight to be guilty of a misdemeanour and to be liable for one year's imprisonment. The *Criminal Code Act 1899* (as at 1934, p.718) contained a note in relation to s.74 'Prize fight' that stated: *For the common law, see Halsbury's Laws of England (2nd ed.), Vol. 9, p. 313.* At p.313 of *Halsbury's Laws of England – Being a Complete Statement of the Whole Law of England* in Volume IX stated categorically that prize fighting occurs in the context of an unlawful assembly. *Halsbury's Laws of England* (1933) clarified that the common law holds that an illegal fight, known as a prize fight, was and is intrinsically linked with that of an unlawful assembly. Therefore, a contestant, spectator or an aider or an abettor to a prize fight can be guilty of being in an unlawful assembly. Importantly, the Criminal Code has never contained a definition of "prize fight". However, the definition and distinction between a prize fight and a boxing match is made in the common law.

Common Law – Defining an illegal prize fight versus a legal sparring exhibition

Bare knuckle fighting was often referred to as "prize fighting" whereas "sparring exhibitions" related to playing a sport. In *Pallante v Stadiums Pty Ltd*, McInerney J stated the common law approach that distinguished between self-regulated sports played within rules for participants and spectators and an unregulated prize fight with contestants and spectators that were likely to breach the peace.

The case of *Pallante v Stadiums Pty Ltd* [1976] is a precedent case on the issue of consent and to what extent a contestant consents to being subjected to lawful assaults by an opponent. Of all the Australian jurisdictions to regulate combat sports, it is Tasmania that uses a minimalistic approach to regulate combat sport through provisions enforced by Police found in the *Police Offences Act 1935*.

An opportunity exists in Queensland to amend the *Police Powers and Responsibilities Act 2000* to include a similar provision that relate to prevent fight-related offences under the Criminal Code.

¹ O'Reagan, R.S. (1992-1993) 'Consent to Assaults Under the Queensland Criminal Code', *University of Queensland Law Journal*, pp.287-291.

From: KENNETT Paul [Paul.Kennett@npsr.qld.gov.au]
Sent: Friday, 8 August 2014 10:28 AM
To: DEVENNY Paula
CC: KINGSFORD Kathleen; LAWRENCE Deirdre
Subject: Combat sports code

Hi Paula

Looking through the electronic records for 2011 and early 2012, I found:

1. When invited to be signatories to the new code of conduct the following indicated support –
 - Boxing Queensland
 - Tae Kwon Do Queensland
 - Australian Jujitsu
 - Queensland Karate Association
 - Police-Citizens Youth Clubs Queensland
 - MMA Federation Australia
2. The following declined –
 - Kung Fu Wushu Queensland
 - Judo Queensland
3. Unclear –
 - Muay Thai Australia

In addition, draft departmental advice responding to a media inquiry after the 2012 State election stated:

- The department explored an alternative approach to regulation, in consultation with the industry, in 2011, and developed a draft *Code of Practice for Combat Sport*. However, compliance with such a code would be voluntary. In addition, organisers of high risk combat sport events were unlikely to sign or adhere to the code. The code was not publicly released before the State's general election in March 2012.
- The combat sport industry's views on regulation are mixed. While some combat sport disciplines agree with increased regulation, they are often quick to highlight that their own discipline does not require regulation. The Queensland combat sports industry may also be critical if the policy rationale for regulation is participant safety, particularly as other sports perceived to incur high injury rates remain unregulated and if the efficiency and effectiveness of such legislation are not able to be demonstrated.

Paul Kennett | Principal Policy Officer

Sport and Recreation Services | Department of National Parks, Recreation, Sport and Racing

T: 07 3338 9226 | F: 07 3607 2276

E: paul.kennett@npsr.qld.gov.au

From: WILLIS Don [Don.Willis@npsr.qld.gov.au]
Sent: Tuesday, 23 September 2014 4:06 PM
To: LAWRENCE Deirdre
Subject: Combat sports and section 74 of Crim Code

Hi Deirdre,

I have just sent you a draft suggested email to Candiece on the Combat Sports issue and section 74 of the Criminal Code. As I was just about to finalise it, Louise Shepherd, Director, Strategic Policy in DJAG (ph 323 96 084) rang me. She expressed her disagreement with two or three points made in the paper Stephen prepared (p. 2 and p. 3). She also mentioned that in 2008 she had proposed to QPS for section 74 to be removed but that at that time they did not agree which is why it has continued to be in the Criminal Code.

I enquired as to whether she had any data on the frequency with which section 74 has been used. She had access to some sentencing data which did not indicate any contemporary actions under this provision.

She queried why we would want to have a specific provision on Combat Sports when the sector is not subject to Government regulation in general.

She said that she would not be opposed to an amendment being made to section 74 but that we and QPS would need to be clear about what we would want and why we would want it.

She said that she would want to attend at any further meeting we might have with QPS on this issue.

I said that we would talk about this further and then get back to her. It may be appropriate for you to speak with her given your knowledge of this issue.

D

Don Willis | Principal Policy Officer

Policy, Research and Planning | Sport and Recreation Services |

Department of National Parks, Recreation, Sport and Racing

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E: Don.Willis@npsr.qld.gov.au

npsr-email-signature



From: WILLIS Don [Don.Willis@npsr.qld.gov.au]
Sent: Wednesday, 24 September 2014 10:41 AM
To: LAWRENCE Deirdre
Subject: Combat sports meeting with QPS 23 Sept 2014
Attachments: 140923 Meeting - SRS-NPRSR - QPS.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Deirdre

Here is a summary of the discussion we had yesterday with QPS on combat sports, for your comment/alteration. Once you are happy with it I will then onforward to other meeting attendees.

D

Don Willis | Principal Policy Officer

Policy, Research and Planning | Sport and Recreation Services |

Department of National Parks, Recreation, Sport and Racing

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E: Don.Willis@npsr.qld.gov.au

npsr-email-signature



RTI DL RELEASE - NPRSR

From: HODGES Sharon [Sharon.Hodges@npsr.qld.gov.au]

Sent: Tuesday, 31 March 2015 9:04 AM

To: WHITTAKER Andrea

Subject: FW: Regulation and Deaths in Combat Sport in QLD (02-10-2010), NSW (16-08-2011)and VIC (07-05-2009)

Sharon Hodges | Director

Industry Capacity and Events | Sport and Recreation Services |

National Parks, Sport and Racing

T: 07 3338 9248 | [M: 07 3338 9248](#) (6) Personal information

From: GAPSA Stephen

Sent: Thursday, 12 June 2014 10:31 AM

To: DOWNES Mandy; RIDGEWELL Paige; HODGES Sharon

Cc: LAWRENCE Deirdre; DEVENNY Paula; O'NEILL Jo

Subject: Regulation and Deaths in Combat Sport in QLD (02-10-2010), NSW (16-08-2011)and VIC (07-05-2009)

Dear Director,

I understand at the Committee of Australian Sports and Recreation Officials (**CASRO**) that New South Wales (NSW) and Victoria (VIC) have actively encouraged Queensland to adopt similar regulatory models for the combat sports industry.

Stand-alone legislative models incur significant budget commitments to establish and continue to incur very high annual administrative and operational costs for governments to administer and the combat sports industry to properly comply.

Contemporary NSW and VIC regulatory impact statements (RIS) have failed to provide any evidence of the efficacy of the regulatory models to prevent injuries that require hospitalisation or even to prevent death.

Despite regulating their combat sports industries NSW last recorded a death on 16 August 2011 after a Muay Thai kickboxing match and VIC recorded a death on 7 May 2009 after a sparring session.

Queensland

The last reported death of a boxer in Queensland was Mr Alex Slade (18 years old) after a boxing match in Mackay that took place on 2 October 2010.

Since then, Mr Phil Lutton, Sports Journalist for the **Brisbane Times**, has campaigned for a “meaningful overhaul of Queensland’s archaic combat sports regulation”.

At present, Queensland is progressing opportunities to amend the *Queensland Criminal Code* and the *Police Powers and Responsibilities Act 2000* (PPRA 2000) and to use a voluntary Code of Practice.

New South Wales

Radio National (ABC) on 8 June 2014 published **Combat sports: The Wild West** that examined the regulation of the combat sports industry in NSW, please refer to link:

After a NSW title bout in Muay Thai kickboxing, one contestant, Mr Mark Fowler (aged 35), died in hospital on 16 August 2011 two days after the fight.

NSW regulated combat sports with the Boxing and ***Wrestling Control Act 1986*** and later the ***Combat Sports Act 2008***. As a result of Fowler's death the NSW government appointed Mr David Hunt to conduct an internal Government review of how the legislation, rules and regulations linked to combat sport were administered.

After the internal Government review, Mr Hunt concluded:

It would be fair to say that the legislation was poorly administered, under-resourced, and there was limited ability to effectively regulate combat sports in NSW

[Hunt continued] It concerned me [about the NSW legislation and regulation] because there were both health and safety and integrity issues at play."

In response to the Hunt review the NSW Parliament passed the ***Combat Sports Act 2013*** that "strengthens the regulation of combat sports to better promote the health and safety of combatants and the integrity of combat sports contests [*Second Reading Speech*]".

The ***Combat Sports Act 2013*** (NSW) extends the definition of combat sports to include "all sports which the primary objective of each contestant is to strike, kick, hit, grapple with, throw or punch one or more of the other contestants."

There is a new offence provision, s.66(2), for referees who fail to stop contests when directed to do so by a medical practitioner, combat sport inspector or police officer (penalty: \$55,000 fine and/or 12 months imprisonment).

There is a new offence provision, s.54 that requires a promoter to notify the Combat Sports Authority of any known death and/or hospital admission of a contestant that occurs within 48 hours of a contest (80 penalty units or 6 months imprisonment).

The new s.54 provision arose from the death of a boxer in Victoria of Mr Andras Nagy (23 years old) who died on 7 May 2009.

Victoria

Victoria was the first Australian jurisdiction to regulate combat sports after the Commonwealth Government's ***Report on the interdisciplinary committee inquiry into boxing and other combat sports*** (1974) and late in 1974 when a young man died following a tent boxing fight in Geelong.

The Victorian Government's response to the young Geelong man's death was to introduce the ***Professional Boxing Control Act 1975*** and the Professional Boxing control Regulations 1976, later repealed and replaced by the ***Professional Boxing and Martial Arts Act 1985*** (renamed the ***Professional Boxing and Combat Sports Act 1985*** in 1996).

On 8 March 2011, the Coroners Court of Victoria made ***Its Finding Into Death With Inquest – Inquest into the Death of ANDRAS NAGY***, refer to link:

Mr Nagy (born in Hungary on [redacted] 4 (6) Personal information) was a citizen of Hungary who was not registered to fight professionally under the **Professional Boxing and Combat Sports Regulation 2008** – Regulation 8(1)(a) Form 4.

The Victorian Coroner found on 8 March 2011:

[Para. 27]: I am satisfied that the death was caused by a brain injury sustained as a result of the blow to the head (jaw) delivered during the course of the sparring session on 1 May 2009. The boxing session was undertaken between two boxers of professional proficiency. There was nothing apparently unusual about the course of the sparring session. The boxers were wearing appropriate protective equipment and the sparring session was being supervised by an experienced trainer.

[Para. 28] The boxers were not ill matched from either an experience or capacity point of view and whilst the sparring has been described as intensive, it appears that this was not unusual at the level of proficiency of both Andreas and his sparring partner, both being professional boxers.

[Para.30] Whilst Mr Omotoso [opponent] delivered the punch which I have found was responsible for the brain injury, this death was unintentional in a circumstance of the usual risk associated with boxing as a sport, which is lawfully undertaken. There is no evidence before me which would suggest that the death was preventable, having regard to the inherent risk associated with the activity of boxing in which they were engaged.

[Para. 31] Whilst Andras voluntarily exposed himself to the risk of the boxing ring, I am satisfied that the circumstances of this case raise public health issues in relation to medical supervision and more broadly, the supervision of boxers engaged in such high level training.

[Para. 32] Andras was not registered in Victoria and consequently was not medically assessed or supervised by any regulatory authority prior to commencing intensive training and sparring at a professional level. Not had he read or signed the acknowledgement as to risk which is required by the regulation.

The Victorian Coroner made several recommendations to increase regulation of the combat sports industry, including the mandatory reporting of hospitalisation that has been taken up by NSW in the **Combat Sports Act 2013** (NSW).

At present, the Queensland Police Service (QPS) is working on a response to the **Enhancing the Self-Regulation of the Queensland Combat Sports Industry** that proposed amendments to the PPRA 2000 and the introduction of a voluntary Code of Practice.

Kind regards

Stephen

Stephen Gapsa

Senior Policy Officer

Policy Research and Planning Branch

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RTI DL RELEASE - NPSR

From: Richard Buchanan [<mailto:Richard.Buchanan@justice.qld.gov.au>]
Sent: Tuesday, 22 April 2014 10:35 AM
To: GAPSA Stephen
Cc: Rhett Moxham
Subject: RE: Request for advice on sporting injuries and workers compensation scheme (insurance) in Queensland

Hello Stephen

The situation in Queensland is essentially unchanged.

Schedule 2 of the *Workers' Compensation and Rehabilitation Act 2003* states that a person who performs work under a contract of service as a professional sportsperson is not a worker while the person is—

- (a) participating in a sporting or athletic activity as a contestant; or
- (b) training or preparing for participation in a sporting or athletic activity as a contestant; or
- (c) performing promotional activities offered to the person because of the person's standing as a sportsperson; or
- (d) engaging on any daily or other periodic journey in connection with the participation, training, preparation or performance.

There is an exemption for jockeys by special arrangement with Racing Queensland.

Note this relates to sportspeople working under a contract of service, ie. as an employee (eg. member of an NRL team). These people should enquire as to what private insurance their employer has in place.

Sportspeople who are self-employed (eg. prize fighters) are excluded from the workers' compensation scheme as are all self-employed people. This applies whether or not the sums earned are modest and the person maintains a day job. They should seek their own private insurance.

Amateur sports are not able to be covered by the workers' compensation scheme because there is no suggestion of consideration (money) or any sort of employment relationship. Participants should enquire as to what private insurance the organising entity has in place.

Workers' compensation insurance is solely provided by WorkCover Queensland. Suncorp has no role in workers' compensation insurance.

I hope this is of assistance.

Regards

Richard Buchanan
Principal Policy Officer
Workers' Compensation Policy and Legal Services
Office of Fair and Safe Work Queensland
Department of Justice and Attorney-General
GPO Box 69
BRISBANE QLD 4001
(07) 3247 4731
richard.buchanan@qld.gov.au
www.worksafe.qld.gov.au

From: GAPSA Stephen [<mailto:Stephen.Gapsa@nprsr.qld.gov.au>]
Sent: Tuesday, 22 April 2014 9:11 AM
To: richard.buchanan@qld.gov.au

Subject: Request for advice on sporting injuries and workers compensation scheme (insurance) in Queensland

Hi Richard,

I am writing to request information on the Queensland Government position in relation to the workers compensation scheme (insurance) and sporting injuries.

Sport and Recreation Services (SRS), Department of National Parks, Recreation, Sport and Racing (NPRSR) are examining the issues relating to the regulation of boxing and combat sports in Queensland.

At present, Queensland does not have stand-alone legislation to regulate boxing and combat sports. Outside of the context of sport, such as fight disciplines, actions that involve striking, kicking, hitting, grappling, throwing or punching are caught as offences under the **Criminal Code Act 1899** (Qld), for example, sections **74** Prize fight; **246** Assaults Unlawful; **320** Grievous bodily harm; **323** Wounding and **335** Common Assaults.

The Australian Government's Department of Tourism and Recreation issued its **Report on the interdepartmental committee inquiry into boxing and other combat sports (1974, p.23)** stated:

Queensland

The State Government Insurance Office covers all workers' compensation cases. Injuries relating to amateur sports are not covered, not [nor] are professional combatants who are deemed to be self-employed. Personal accident policies only would apply.

I understand that Queensland's SGIO was corporatised into SUNCORP METWAY and then SUNCORP.

Request for Information

I would appreciate if you could clarify the contemporary Queensland Government position relating to sporting injuries and the workers compensation scheme (insurance). In what circumstances would sporting injuries be covered under Queensland's workers compensation scheme?

If you have any questions relating to my query please do not hesitate to contact me on (07) 3338 9224.

I look forward to your advice in relation to this matter at your own convenience.

Kind regards

Stephen

Stephen Gapsa

Senior Policy Officer

Policy Research and Planning Branch

Department of National Parks, Recreation, Sport and Racing

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