

14047/14

SRS



# Minister for National Parks, Recreation, Sport, and Racing Ministerial Correspondence Action Sheet



Review By:	Action Required:	Action By:
<input type="checkbox"/> Minister <input type="checkbox"/> Chief of Staff <input type="checkbox"/> Policy Advisor <input type="checkbox"/> Sport / Racing <input type="checkbox"/> National Parks <input type="checkbox"/> Media Advisor <input type="checkbox"/> Office Manager <input type="checkbox"/> Backbench Liaison <input type="checkbox"/> Administration <input type="checkbox"/> Other:	<input type="checkbox"/> Briefing Note <input type="checkbox"/> Reply from Minister <input checked="" type="checkbox"/> Reply from Department Officer - to <i>Senior Sergeant Chris O'Shea</i> <hr/> <input type="checkbox"/> Reply from Chief of Staff <input checked="" type="checkbox"/> Reply from Advisor <input checked="" type="checkbox"/> Sport / Racing / National Parks / Media <input type="checkbox"/> Media Opportunities <input type="checkbox"/> Dot Point Response for Backbench Liaison <input type="checkbox"/> Reply from Office Manager / Administration <input type="checkbox"/> For Information <input checked="" type="checkbox"/> No Response Required / File <input checked="" type="checkbox"/> Other: <i>Establish contact with Chris O'Shea.</i>	<input type="checkbox"/> Ministerial Office <input checked="" type="checkbox"/> Department <hr/> <b>Timeframe:</b> <input type="checkbox"/> 3 Days <input type="checkbox"/> 5 Days <input checked="" type="checkbox"/> 10 Days +

Copy to:

Comments:

*Dept to make contact with Sm Sgt Chris O'Shea*

Name: *Trin*

RTI 14-365

Signature:

File D sch4-Signature

Date:

*5/6*

1 of 38



## Minister for Police, Fire and Emergency Services

Ref No: 13372 P7 JF

- 4 JUN 2014

The Honourable Steve Dickson MP  
Minister for National Parks, Recreation, Sport and Racing  
PO Box 15187  
CITY EAST QLD 4002

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[fireandemergencyservices@ministerial.qld.gov.au](mailto:fireandemergencyservices@ministerial.qld.gov.au)  
ABN 65 959 415 158

Dear Minister

Thank you for your letter of 5 May 2014, regarding your request for my support and that of the Queensland Police Service (QPS) to explore amendments to the *Criminal Code Act 1899* (the Criminal Code) and the *Police Powers and Responsibilities Act 2000*, to provide a legislative basis for the introduction of minimal regulation for combat sport in Queensland.

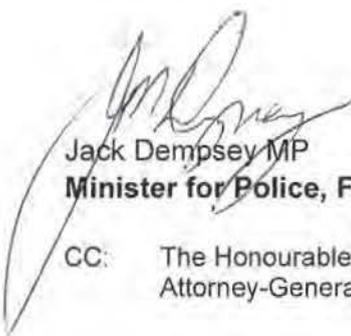
I support the QPS reviewing this matter and the QPS has nominated Senior Sergeant Chris O'Shea as the representative to take part in discussions. He can be contacted on telephone (07) 3364 4850.

As the Attorney-General is responsible for the Criminal Code, I recommend he is also consulted so the Department of Justice and Attorney-General can provide input.

Should you require further information from my office, Mr Mark Hrycek, Chief of Staff, is available on telephone (07) 3035 8300.

I trust this information is of assistance.

Yours sincerely



Jack Dempsey MP  
Minister for Police, Fire and Emergency Services

CC: The Honourable Jarrod Bleijie MP  
Attorney-General and Minister for Justice

**Department of National Parks, Recreation, Sport and Racing  
MINISTERIAL BRIEFING NOTE**

**TO: Minister for National Parks, Recreation, Sport and Racing**

**SUBJECT: Update on combat sports**

Chief of Staff .....	OK
Dated / /	
<b>Approved Not Approved Noted</b>	
<b>Further information required</b>	
Minister.....	
Dated / /	

**RECOMMENDATION**

It is recommended that the Minister:

- **note** the work undertaken by the Department of National Parks, Recreation, Sport and Racing (NPRSR) with respect to progressing option 4 approved by the Minister for improving fight discipline standards of practice in Queensland.

**BACKGROUND/KEY ISSUES**

- In January 2014, the Minister for National Parks, Recreation, Sport and Racing approved that NPRSR explore a Government-industry partnership approach involving minimal regulation and industry standards to ensure the health and safety of participants in fight disciplines and the maintenance of acceptable standards of public behaviour.
- In May 2014, the Minister wrote to the Attorney-General and Minister for Justice and the Minister for Police, Fire and Emergency Services seeking the support of their respective agencies to work with NPRSR.
- Subsequent to the Minister’s approval:
  - NPRSR’s Policy, Research and Planning Unit (PRP) has engaged with the Department of Justice and Attorney-General (DJAG) and the Queensland Police Service (QPS) to explore whether legislative amendments to the Queensland Criminal Code and the *Police Powers and Responsibilities Act 2000* (PPRA) were necessary to enable intervention in situations where fight disciplines pose a danger to participants and public health and safety
  - NPRSR’s Industry Capacity and Events Unit (ICEU) has developed a preliminary draft voluntary standards of practice for consultation with the fight discipline industry to encourage better industry self-regulation and risk management to promote the health and safety of participants.

Exploration of legislative options

- As a result of PRP’s consultations with DJAG and QPS to explore whether any legislative amendments were necessary, the Attorney-General wrote to the Minister on 21 November 2014 to formally advise that amendments to the Criminal Code are not warranted at this time. This conclusion was based on the intention to introduce a voluntary industry code and QPS advice that police officers already have sufficient and appropriate powers to maintain law and order at combat sport events.
- PRP’s consultations with DJAG and QPS revealed that the Criminal Code already provides a range of offences and penalties such as those relating to assault, affray, and serious bodily harm which could be considered in situations where fight disciplines pose a danger to participants and public health and safety.
- The Attorney-General’s letter also indicated that with the passing of time, section 74 of the Criminal Code, “Prize Fight” – which has been in place since 1899 – has largely fallen into disuse so an amendment is not warranted. On this issue, PRP had consulted with DJAG and QPS as to whether the provision should be amended to reflect contemporary circumstances and so better enable its enforcement by police. These consultations revealed that the provision has no clear association with modern combat sports events since it was originally designed to deal with a problem endemic in the 19<sup>th</sup> century which saw uncontrolled street fights being held for reward and leading to public disorder.
- Accordingly, the conclusion reached was that section 74 would not have been an appropriate vehicle

<b>Author</b> Name: Don Willis Position: Principal Policy Officer, Policy and Governance, Policy Research and Planning Tel No: 3338 9224 Date:	<b>Endorsed by</b> Name: Deirdre Lawrence Position: Manager, Policy and Governance, Policy Research and Planning Tel No: 3338 9222 Date:	<b>Endorsed by</b> Name: Position: Tel No: Date:	<b>Recommended</b> Name: John Glaister Position: DG, NPRSR Tel No: 3338 9307 Date:
	Name: Position: Tel No: Date:	Name: Position: Tel No: Date:	

by which to introduce any further legislative measure to enable intervention in situations where fight disciplines pose a danger to participants and public health and safety.

- PRP considered the model that has been adopted in Tasmania which involves a government-industry approach as well as the establishment of mandatory standards for boxing and combat sports contests. The standards issued in June 2013 state, “All boxing and combat sport contests in Tasmania are expected to be conducted in accordance with Sport and Recreation Tasmania’s Standards for Boxing and Combat Sport Contests (the Standards), and in accordance with Section 49B(1) of the Police Offences Act 1935.”
- Section 49B of the *Police Offences Act 1935* (TAS) empowers the Tasmanian Commissioner of Police, with the consent of the Minister, to control “public entertainments”. Under section 49A of this Act “public entertainment” includes “boxing, or other amusement, exhibition, or contest” to which persons are admitted on payment or which is open to the public whether admission is or is not procured by payment of money or any other condition. PRP understands that compared to Queensland, there are relatively few combat sports events that take place in Tasmania which would require the prior approval of the Commissioner of Police.
- In its consultations with QPS, PRP discussed the Tasmanian approach and whether the PPRA could be amended to reflect its Tasmanian counterpart. The view of QPS is that provisions such as section 52 of the PPRA already afford police officers with sufficient powers to intervene in a combat sports event if it became necessary to do so. The view of QPS was that in the absence of a mandatory industry standard there was no need for further amendments to the PPRA to provide additional powers to police to prevent or stop combat sport events.
- PRP understands that the Minister for Police, Fire and Emergency Services is currently in the process of writing to the Minister to advise that amendments to the PPRA are not considered necessary and that sufficient powers exist for police to address issues of a criminal nature arising from a combat sport event.
- PRP has considered the advice of DJAG and QPS obtained during consultations and agrees that in the situation being proposed for the creation of a voluntary industry standard, the statutory powers already provided under the Criminal Code and the PPRA would appear to be sufficient. Had a mandatory industry standard been proposed such as exists in Tasmania it may have been necessary to enact complementary legislative amendments to give the mandatory code the force of law. However, a mandatory code would be costly and at a minimum would need to be supplemented by the establishment of an enforcement and compliance regime. While some Australian jurisdictions have adopted the full regulatory monitoring and enforcement approach, it is questionable whether such an approach is more successful than one which relies more on industry self-regulation coupled with voluntary standards and public information such as is proposed for Queensland. Also, if Queensland were to adopt the full regulatory approach it would have implications in terms of the Government’s red tape reduction agenda.
- As well as engaging with DJAG and QPS, PRP consulted with the Department of Communities, Child Safety and Disability Services (DCCSDS) about the legal obligations of parents for children participating in combat sports events. PRP was advised that under the *Child Protection Act 1999* there are broad provisions relating to the prevention of the abuse of and harm to children. Action in relation to concerns about the safety of a child is complaints-driven. The complaint is then investigated by an Intake Officer to determine the ongoing safety of the child. In Queensland there are four groups of people who are required by law to report child protection concerns, including a doctor or registered nurse who becomes aware, or reasonably suspects during the practice of his or her profession that a child has been, is being or is likely to be harmed. PRP also notes that under section 286 of the Criminal Code, every person who has care of a child under 16 years (including the parent of a child) have a duty to provide for the necessities of life for the child and to take reasonable precautions/actions to avoid danger to the child’s life and to remove the child from any such danger. The person under the duty is held to have caused any consequences that result to the life and health of the child by reason of a failure to perform the duty, whether the child is helpless or not.
- Furthermore, PRP consulted with Workplace Health and Safety Queensland (WHSQ) to discuss whether fight discipline contests/events, contestants and industry participants are currently covered

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<p>RTI 14-365</p>	<p>File D</p>	<p>Name: Position: Tel No: Date:</p>	<p>4 of 38</p>

under the *Work Health and Safety Act 2011* (WHS Act) and whether promoters and organisers of fight discipline events have WHS obligations including for contestants and participants.

- WHSQ advised PRP that there can be complex arrangements involving different parties staging or participating in fight discipline contests/events. The extent to which the WHS Act applies to persons involved in fight discipline contests/events would depend on the circumstances including whether it involves one or more “persons conducting a business or undertaking”. If so, the person/s primary duty of care, so far as is reasonably practicable, is to workers engaged and workers whose activities in carrying out work are influenced or directed by the person/s. The person/s also owe a duty of care to other persons who may be at risk from work carried out as part of the conduct of the business or undertaking.
- Based on consultations with DCCSDS and WHSQ, PRP will prepare some general educational information relevant to those involved in the combat sports industry including promoters, organisers, participants and parents regarding child protection and workplace health and safety. This information could be developed into fact sheets under the proposed voluntary industry standard being developed by ICEU. As the information will be general in nature and would not constitute legal advice, the onus would be on relevant persons to ascertain their own particular legal obligations in these matters.

Development of voluntary industry standard

- ICEU has developed a preliminary draft industry standard for consultation with the fight discipline industry containing voluntary standards of practice to encourage better industry self-regulation and improve industry risk management to promote the health and safety of participants.
- The industry standards are proposed to be voluntary in line with the Government’s commitment to reducing the regulatory burden. Mandatory standards would have required, at a minimum, a full monitoring, compliance and enforcement regime to be established. At this time there is no evidence that the mandatory approach needs to be taken in Queensland. There is also concern that adopting mandatory standards without a complementary compliance and enforcement regime being established could increase the exposure of the State should an injury or accident occur at a combat sports event.
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**MINISTER’S COMMENTS**

**ATTACHMENTS**

- Attachment 1 - List all attachments referred to in Brief

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<b>Author</b> Name: Don Willis Position: Principal Policy Officer, Policy and Governance, Policy Research and Planning Tel No: 3338 9224 Date:	<b>Endorsed by</b> Name: Deirdre Lawrence Position: Manager, Policy and Governance, Policy Research and Planning Tel No: 3338 9222 Date:	<b>Endorsed by</b> Name: Position: Tel No: Date:	<b>Recommended</b> Name: John Glaister Position: DG, NPRSR Tel No: 3338 9307 Date:
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# The Queensland fight discipline industry: Standards of Practice

October 2014



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# Minister's foreword

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# Introduction

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This is a voluntary set of standards that we commit to comply with at all times. This set of standards describes how we will conduct ourselves in delivering safe and accountable services for fight discipline participants.

As a requirement of agreeing to this set of standards, we will develop and release to our members and participants our own set of principles or rules that directly relate to and comply with this set of standards.

## Key Principles

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We recognise that participants can reasonably expect a safe environment to participate in fight disciplines. This set of standards will align with three over-arching key principles:



## Standards of Practice

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We recognise that participants can reasonably expect a safe environment to participate in fight disciplines. We agree to abide by the following Standards of Practice in support of the Key Principles:

### 1. Improve the health of all participants

Sport and recreation can produce positive social<sup>1</sup>, physical<sup>2</sup> and economic<sup>3</sup> benefits. We have an obligation to ensure participation in fight disciplines 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 inappropriate consumption and promotion of alcohol in accordance with the *Queensland Liquor Act 1992*; and
- c. prohibit the use of illicit and performance enhancing drugs in accordance with the rules of the Australian Sports Anti-Doping Authority and the relevant national sport organisation where applicable.

## 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<sup>4, 5</sup>. 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 contest if they wish.

## 3. Provide safe, fair and balanced contests

Contests in fight disciplines can place significant pressure on the body and mind and this needs to be carefully managed, particularly in regard to young and older participants, as well as inexperienced participants. As a contest between two disproportionately matched combatants may result in severe injury<sup>6</sup> or death<sup>7</sup>, we have an obligation to protect the individuals involved, particularly the young and inexperienced.

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<sup>1</sup> 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.

<sup>2</sup> 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.

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

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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.

We will, therefore, strive to ensure safe, fair and balanced contests through appropriate participation and matching for contests based on age, gender, weight, skill and experience (i.e. rank, competition experience, wins/losses, etc.).

We acknowledge that providing modified *contests* or alternative participation opportunities (e.g. training) may be appropriate for some styles of fight disciplines or at the age group level within specific styles of fight disciplines. We will establish policies within our activity in regard to age appropriate participation.

We will also ensure all participants and spectators adhere to a positive behaviour code of conduct to provide a positive sporting environment.

#### **4. Minimise the incidence and severity of injury**

The use of safety equipment and implementation of procedures or systems to ensure safety may reduce the occurrence and severity of injury in fight disciplines<sup>7</sup>.

We will ensure that officials, coaches, trainers, volunteers and participants adhere to safety procedures or systems. Specifically, we agree that participants will be required to maintain a record of and declare their significant injuries (i.e. concussion or above) to officials, coaches or trainers prior to contests or any other fight discipline activity as a condition of participation.

We also agree that our organisation and associated officials, trainers and coaches will maintain a record of significant injuries in participants and contestants, and adopt and enforce explicit rules and processes for exclusions and medical clearances for contests or participation in any other fight discipline activity after significant injuries.

Within the rules of the fight discipline, we will ensure participants use beneficial safety and protective equipment when full body contact is likely. Such measures could include:

- a. footwear use;

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<sup>7</sup> Zazryn, T. R., & McCrory, P. R. (2008). Neurologic injuries in boxing and other fight disciplines. *Neurologic Clinics*, 26, 257-270.

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

## 5. Trained and accredited volunteers, coaches and officials

Volunteers, coaches and officials are vital to the management and delivery of fight disciplines. They play a key role in maintaining safety for participants. In addition to ensuring volunteers, coaches and officials comply with all relevant legislation in the provision of fight disciplines activities, such as the holding a valid blue card when working with persons under 18 years of age (under the *Commission for Children and Young People and Child Guardian Act 2000*), we agree to:

- a. ensure officials, coaches and trainers have relevant fight discipline accreditation<sup>8</sup> recognised by the sport's State or National Association or other appropriate governing body and/or the Australian Sports Commission (ASC);
- b. ensure officials have completed, at a minimum, the ASC Introductory Level Officiating General Principles, or equivalent<sup>9</sup>; and
- c. ensure coaches and trainers have completed, at a minimum, the Community Coaching General Principles, or equivalent.<sup>10</sup>

## 6. Identify and manage risks

To ensure that risks associated with fight disciplines activities are properly identified, managed and mitigated, we agree that our organisation and associated trainers, coaches and officials will comply with all relevant

<sup>8</sup> It is recognised that sport specific accreditation for coaches, trainers and officials in particular fight disciplines and contexts may require ongoing training. For instance, coaches, trainers and officials for high risk contests and fight disciplines, such as amateur or professional cage and ring contests in Mixed Martial Arts, may need to undergo ongoing training and mentoring to ensure they possess the diverse skills required to ensure the safety of participants.

<sup>9</sup> The Introductory Level Officiating General Principles is part of the Coaching and Officiating Courses that are affiliated with the National Coaching Accreditation Scheme and National Officiating Accreditation Scheme.

<sup>10</sup> The Community Coaching General Principles is part of the Coaching and Officiating Courses that are affiliated with the National Coaching Accreditation Scheme and National Officiating Accreditation Scheme.

legislation in the provision of fight disciplines activities, including requirements under the *Workplace Health and Safety Act 2011*.

We will also ensure that our organisation and associated trainers, coaches and officials have appropriate insurance (i.e. professional indemnity insurance, public liability insurance and venue public liability insurance) for the provision of all fight discipline activities, including instruction, training and contests.

In recognition that fight disciplines contests present unique health risks, we will:

- a. mandate that an accredited official, with the power to cancel or stop a *contest* at any time, will oversee contests;
- b. set a minimum timeframe for participants to refrain from participating in contests and require medical clearance prior to further participation in contests following *brain injury* and/or *concussion*;
- c. set an extended minimum timeframe for participants to refrain from participating in contests and require medical clearance prior to further participation in contests following multiple successive brain injuries and/or *concussions*;
- d. set a maximum number of contests 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. ensure independent and appropriate medical professionals, such as qualified paramedics, oversee *low risk contests*, such as junior contests with modified rules, and independent *medical practitioners* oversee *high risk contests* (*contests* with a high probability of inflicting serious injury or death on participants), and give them the power to intervene and stop *contests* for any medical reason; and
- g. ensure combatants in *high risk contests* receive approval from an independent medical practitioner to compete.

## **7. Supply safe and appropriate environments for participants, officials and spectators**

We acknowledge that participants, officials and spectators have the right to partake in fight discipline activity in safe and appropriate environments.

We will:

- a. provide suitable facilities and equipment for participating in fight disciplines;
- b. ensure appropriate supervision of minors participating in fight disciplines in licensed premises; and
- c. establish, implement and enforce adequate behaviour standards for fight discipline participants, officials, and spectators.

## **8. Establish processes to resolve complaints and disciplinary incidents**

We will establish and use fair, transparent and consistent processes to deal with:

- a. complaints;
- b. actions that breach this and our related Code;
- c. inappropriate, 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.

## **Spirit of the Code**

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It is recognised that the Principles, Values and Standards of Practice outlined above cannot cover every possible scenario. Therefore, in adhering to this set of standards, we commit to upholding the intention and spirit of the Principles, Values and Standards.

We also commit to 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.

## **Glossary**

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**Brain injury:** Any damage to the brain that occurs after birth.

**Fight discipline:** Boxing or any other sport, martial art or activity involving kickboxing, fist fighting, sparring, grappling, punching, kicking, striking, throwing or otherwise inflicting blows on an opponent, with or without a weapon or weapons approved under the *Weapons Act 1990* or the fight discipline.

**Contest:** a public, private, amateur or professional competition where a winner is determined through a process of striking, kicking, punching, grappling, throwing or otherwise inflicting blows on an opponent, with or without a weapon or weapons approved under the *Weapons Act 1990* and where an outcome is determined irrespective of whether that is for an untitled 'win' or is undertaken to gain a title, medal, trophy, prize money or other award (excluding dramatic performances with a predetermined outcome).

**Concussion:** A traumatic injury to brain tissue as a result of a violent blow, shaking, or spinning.

**Medical practitioner:** A person registered under the *Health Practitioner Regulation National Law* to practise in the medical profession (other than as a student).

## Additional information

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If you need assistance about how this set of standards relates to you, please contact your local fight discipline provider.

For further advice about the operation of this set of standards, you may wish to contact Sport and Recreation Services, Department of National Parks, Sport and Racing on [SRIndustries@npsr.qld.gov.au](mailto:SRIndustries@npsr.qld.gov.au) or 1300 656 191.

Copies of this document plus additional supporting information can be accessed at [www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au).

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**WILLIS Don**

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**From:** Andrea.Reeves@psba.qld.gov.au  
**Sent:** Friday, 28 November 2014 1:27 PM  
**To:** WILLIS Don  
**Subject:** RE: Combat sports QPS response

Hi Don

I am so sorry for the delay. A letter is up with the Minister for signing so hopefully you will have something formal soon.

Informally, I can advise you that we didn't recommend an amendment to the PPRA. Sufficient powers currently exist for police to effectively identify and address any criminality which may occur during a combat sport event.

Regards

Andrea

-----Original Message-----

**From:** WILLIS Don [mailto:Don.Willis@nprsr.qld.gov.au]  
**Sent:** Friday, 28 November 2014 11:58 AM  
**To:** O'Shea.ChristopherJ[PSBAHR]; Reeves.AndreaM[PSBASTR]  
**Subject:** RE: Combat sports QPS response

Hi Andrea

I'm wondering if you could indicate when the letter from the Police Minister on this issue may be ready for onforwarding to the Minister for NPSR? Or if you could forward us a 'heads up' copy?

Many thanks and regards  
Don

Don Willis | Principal Policy Officer  
Policy, Research and Planning | Sport and Recreation Services | Department of National Parks, Recreation, Sport and Racing  
T: 07 3338 9224  
F: 07 3607 2276  
E: Don.Willis@nprsr.qld.gov.au

-----Original Message-----

**From:** Christopher.O'Shea@psba.qld.gov.au [mailto:Christopher.O'Shea@psba.qld.gov.au]  
**Sent:** Wednesday, 26 November 2014 12:47 PM  
**To:** WILLIS Don; Andrea.Reeves@psba.qld.gov.au  
**Subject:** Re: Combat sports QPS response

Andrea last I heard this is all back to you?

RTI/DI RELEASE - NPSR



The Hon Jarrod Bleijie MP  
Attorney-General and Minister for Justice

In reply please quote: 559679/1, 2713243

Your reference: CTS 05938/14

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21 NOV 2014

The Honourable Steve Dickson MP  
Minister for National Parks, Recreation,  
Sport and Racing  
Member for Buderim  
PO Box 15187  
CITY EAST QLD 4002

Dear Minister

I write in further response to your letter dated 5 May 2014 regarding the regulation of combat sports in Queensland.

As indicated in my letter to you of 3 July 2014, I support Sport and Recreation Service (SRS) working with the Department of Justice and Attorney-General (DJAG) to explore legislative options to ensure the health and safety of participants in fight disciplines and that combat sport events do not undermine public standards of acceptable behaviour.

I understand that an inter-departmental working group, led by SRS and with representation from DJAG, the Public Safety Business Agency (PSBA) and the Queensland Police Service (QPS) was formed to review this issue and has concluded that legislative reform is not warranted at this time. This conclusion is based on advice from SRS that it is developing a voluntary industry code to promote the self-regulation of combat sports in Queensland and that the QPS considers that police have sufficient and appropriate powers to maintain law and order at combat sport events.

Given that combat sports and related fight disciplines remain unregulated but legal in Queensland, it is not surprising to learn from the QPS that section 74 of the Criminal Code (Prize fighting) has largely fallen into disuse. I understand that the working group has not recommended any amendment to section 74.

I trust this information is of assistance.

Yours sincerely

JARROD BLEIJIE MP  
Attorney-General and Minister for Justice

RTI 14-365

File D

18 of 38  
pleas

**WILLIS Don**

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**From:** WILLIS Don  
**Sent:** Tuesday, 7 October 2014 2:06 PM  
**To:** LAWRENCE Deirdre  
**Subject:** Combat sports scenarios

Hi Deirdre,

The question to be considered is: does s. 74 of the Queensland Criminal Code, "Prize Fight", have any application in the context of combat sports in Queensland. Section 74 provides:

*Any person who fights in a prize fight, or subscribes to or promotes a prize fight, is guilty of a misdemeanour, and is liable to imprisonment for 1 year.*

Originally, "prize fighting" was a misdemeanour at Common Law, being either an unlawful assembly or an assault, and was codified under the Criminal Code when it was enacted in 1899.

Section 74 does not contain a statutory definition of "prize fight" and so its meaning has to be drawn from relevant case law, such as *Pallante v Stadiums Pty Ltd (1976) VR*.

Some other Australian jurisdictions also contain a "Prize Fighting" provision and associated penalty. As with Queensland, none of these jurisdiction, including the following, provide a statutory definition for the term:

Northern Territory

**Summary Offences Act - Section 55**

**Challenge to fight**

- (1) Any person who sends or accepts, either by word or letter, any challenge to fight for money, or engages in any prize fight, shall be liable to a penalty of 500 dollars, or to imprisonment, for any period not exceeding 3 months, or both.
- (2) The Justice before whom any person is found guilty of an offence against this section may, if he thinks fit, in addition to imposing a penalty, also require that person to find sureties for keeping the peace.

Tasmania

**Criminal Code Act 1924 – Section 82**

**Prize fights**

- (1) Any person who fights in a prize fight, or subscribes to or promotes or encourages a prize fight, is guilty of a crime.
- Charge: Taking part [or being concerned] in a prize fight.
- (2) A boxing contest or exhibition which is held with the consent of the Commissioner of Police shall not be deemed to be a prize fight.

Note: The penalty for committing a crime in Tasmania is specified under s. 389 of the Criminal Code Act 1924 which states:

*Subject to the provisions of the Sentencing Act 1997 or of any other statute, and except where otherwise expressly provided, the punishment for any crime shall be by imprisonment for 21 years, or by fine, or by both such punishments, and shall be such as the judge of the court of trial shall think fit in the circumstances of each particular case.*

Western Australia

## Criminal Code Act Compilation Act 1913 – Section 73

### Prize fight

Any person who fights in a prize fight or subscribes to or promotes a prize fight, is guilty of a crime, and is liable to imprisonment for 2 years.

Summary conviction penalty: \$6 000.

Here are some suggested combat sports scenarios which need to be tested against s.74 of the Queensland Criminal Code to ascertain the question: when does a combat sports event become a “prize fight” for the purposes of section 74 of the Criminal Code?:

1. An event is held where fight participants are ill-matched in terms of age, physical build, skill or experience
2. An event is held where the promoter has failed to ensure basic safety conditions for the fight participants
3. An event is held where members of the audience become rowdy and proceed to engage in violent behaviour
4. An event is held where fight participants are not medically fit (e.g. one of the participants may have a communicable disease)
5. An event is held where blood from fight participants is sprayed on the audience
6. An event is held for which fight participants receive payment or members of the audience may make bets on the fight outcome

**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@nprsr.qld.gov.au](mailto:Don.Willis@nprsr.qld.gov.au)



**From:** Downes Mandy  
**Sent:** Tuesday, 9 July 2013 10:02 AM  
**To:** Hodges Sharon  
**Cc:** Ridgewell Paige; Petty Jen  
**Subject:** RE: Fioght disciplines

Hi Sharon.

Thanks very much for providing your feedback on the strategic options paper for Fight Disciplines. Responses to your questions are provided in blue below.

I understand your concerns about implementation and operation of the Government Industry Partnership Approach. As already indicated, there will be detailed discussions between PRP and ICE regarding the operational policy and procedural issues once the Minister has indicated his preferred option for further investigation.

Kind regards

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

T: 07 3338 9212 | M: (b) Personal info | F: 07 3898 0925  
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---

**From:** Hodges Sharon  
**Sent:** Monday, 8 July 2013 12:53 PM  
**To:** Ridgewell Paige  
**Subject:** Fioght disciplines

Hi Paige

As discussed please find below some comments on the fight disciplines options paper from a meeting with representatives of the industry team and legal services . In making the below comments I am also mindful of the somewhat unique aspects of the fight disciplines raising a higher level of concern.

- The paper states “ all contests to be governed or sanctioned by a Government recognised body. This would encourage capacity development across the sector by requiring contest organisers to **establish** appropriate governance structures and standards of practice **for their activity to receive** government recognition for staging contest” . This may be just wording issues however this seems to imply that Government will somehow only “register/recognise” events if appropriate governance structures and standards of practice are in place. Your interpretation is correct in so far as SRS could register events if Option 4 this is the preferred option. Whether or not SRS registers events is a matter for further discussion. In the Tasmanian model, registration of events is a means of monitoring events that are occurring and provides an opportunity for Sport and Recreation Tasmania (SRT) to proactively encourage event organisers to establish governance structures and standards to a minimum standard prescribed by sanctioning bodies.
- Based on the above point and the fact that SRS currently does not recognise any organisations at all (with the possible

exception of QSport and QORF) raises the issues that firstly a recognition process would need to be developed and secondly that recognition process would need to consider/comment/ rate the organisations appropriate governance structures and standards of practice for their activity in relation to the staging of contest for them to be deemed appropriate. If SRS is taking this into consideration does this raise an implied or real liability in SRS being seen as endorsing the standard of practice implemented by an organisation. If this is not the intent of the paper perhaps some rewording could be considered. If implemented, the recognition process could be as complex or simple as we choose to make it. Other jurisdictions, for example, recognise International Sporting Federations, ASC recognised organisations and state level organisations affiliated with a national sporting body. If other jurisdictions have recognition processes, we could consider these and adapt something suitable for Queensland (if required). No other jurisdiction 'rates' the organisation's governance or standards in relation to staging contests – bodies are responsible for the conduct of events that they sanction. It is our understanding that unless the government funds or hosts an event, there is no implied government accountability or liability. SRS would not need to endorse the standards of practice – each organisation is responsible for governing its own sport (sport manages sport model).

- Funded organisations is much different to recognising an organisation as we fund many organisations to achieve certain outcomes rather than the organisation satisfying a set of criteria to be recognised. Agreed. There has never been any suggestion that recognition and funding be interchangeable terms.
- The paper also states that a head of power would need to be established. This is understood to be an amendment to the *Criminal Code Act 1899* to enable " Government to intervene through imposing conditions or prohibitions should any fight contest endanger health or safety or undermine public standards of behaviour". This seems to intimate that the Criminal Code would then apply to any fight discipline event and all those "registered" by SRS if this was adopted. The advantages section then states this option allows oversight and regulation of activities and contests which do not meet minimum standards for safety and integrity. Given the previous line refers to industry self-regulation this implies government oversight. If QPS do not agree to this than this cannot be achieved. Also as the oversight is referenced to the minimum standards then there appears to be a link between the minimum standards recognised by the department, the event registered and the Criminal Code amendments. It is not clear how these interlink and how this is achieved when one approach is self-regulated and one is not. Your interpretation is true to the point where the Criminal Code Act 1899 will provide the head of power for oversight and regulation of activities and contests. The sanctioning bodies are accountable for the oversight and regulation of events (not government) and the QPS may, if it determines the need a priority, intervene in an event which does not meet minimum standards for safety or public standards of behaviour. The legislative amendment could be worded along the lines of "prevent a breach of the peace or danger to a performer or other person..." There has not been any consultation with the QPS regarding legislative amendment as this would be premature in advance of the Minister advising his preferred approach.

To explain the relationship between the standards and how the legislation could operate:

- Priority areas for health and safety standards would be established by the department.
  - Sanctioning bodies would be required to establish sport appropriate standards for the activity (eg. SRS might stipulate that the recognised body has minimum standards for age, protective equipment, medical testing and record keeping etc and each sport would be required to develop detailed standards).
  - Events need to be compliant with the standards established by the sanctioning body.
  - QPS may intervene and impose a penalty if the health and safety of participants is endangered and they deem policing the event to be a priority.
- The paper states the model is not resource intensive once operational, it seems that more investigation is required as to the level of events registered, number of disciplines, recognition process, QPS requirements for monitoring etc before this can be stated. The model as described can be adapted to suit the Queensland environment. In the SRT

model, the only additional ongoing resource impact is the registration of events and provision of advice to combat sport bodies. If the Minister adopts the Government Industry Partnership Approach, SRS and QPS can determine the degree to which it wishes to register events, recognise bodies, police events etc.

- It is unclear if an event can be registered if there is not a recognised body. SRS can determine this if the Minister wants Option 4 investigated further. SRT registers all events as indicated above.
- Will organisations who register events want to advertise the events as being “Government registered” (this goes to point 1 and 2 about the risks of recognition) SRS can determine this if the Minister wants Option 4 investigated further. In SRT, there is no implication of ‘Government registered’. The event is considered as sanctioned by a governing body.
- It is also stated that implementation could be achieved in a relatively short period of time. It may be useful to elaborate on this a little further. This will be done in the brief for the Minister that accompanies the Options Paper. The time to develop and implement this model would be shorter when compared with the full legislative model, or amending provisions under other existing Queensland legislation for workplace safety, compensation and liability.
- Can International organisations be the recognised body alone and then what tests or verification should be done to determine the validity of the International Organisation Other jurisdictions recognise the international organisation. Further investigation can be done to establish the processes used by those jurisdictions to validate the organisation if required.

Generally it is understood that a legislative option is not desired and this may be the best option these are just some questions for consideration.

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 | M: (6) Personal info

**WHITTAKER Andrea**

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**From:** Greg McGuire <Greg.McGuire@dsr.wa.gov.au>  
**Sent:** Tuesday, 3 March 2015 5:52 PM  
**To:** WILLIS Don  
**Cc:** LAWRENCE Deirdre  
**Subject:** RE: Information re combat sports

Hi Don,

I have been tied up in meetings all day I will give you a call tomorrow (Wednesday) to discuss if you like?

Regards,

**Greg McGuire**  
**Combat Sports Commission - Western Australia**  
Executive Officer  
Department of Sport and Recreation  
246 Vincent Street, Leederville, WA 6007  
PO Box 329 Leederville WA 6903  
**Tel:** (08) 9492 9746  
**Mob:** 4(6) Personal inforr  
**Fax:** (08) 9492 9711  
**Web:** [www.dsr.wa.gov.au](http://www.dsr.wa.gov.au)

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**From:** WILLIS Don [mailto:Don.Willis@npsr.qld.gov.au]  
**Sent:** Tuesday, 3 March 2015 1:08 PM  
**To:** Greg McGuire  
**Cc:** LAWRENCE Deirdre  
**Subject:** Information re combat sports

Good afternoon Greg

I was given your name as the best person to contact about this enquiry.

You may be aware that a new Government was recently elected in Queensland. Sport and Recreation Services in Queensland have been asked by our new Minister to prepare a brief on policy options with respect to the possible regulation of Combat Sports in this State.

As Western Australia has a dedicated entity to oversee combat sports in your jurisdiction (the Combat Sports Commission) I am hoping you may be able to provide us with some information that we could use to be able to inform our Minister's deliberations.

Specifically, I am interested in knowing:

- What the organisational structure of the commission is
- What its establishment costs were
- What its ongoing annual operating budget is
- How many staff are employed
- How many compliance/enforcement officers are employed

Any information about these or other relevant matters which may assist us to apprise our Minister would be greatly appreciated.

I would also be grateful if you could provide any information to us at your earliest convenience.

Many thanks and regards

**Don Willis** | Principal Policy Officer  
Policy, Research and Planning | Sport and Recreation Services |  
Department of National Parks, Sport and Racing  
T: 07 3338 9224  
F: 07 3607 2276  
E: [Don.Willis@nprsr.qld.gov.au](mailto:Don.Willis@nprsr.qld.gov.au)



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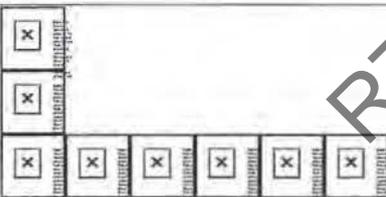
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**WHITTAKER Andrea**

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**From:** Egan, John <john.egan@sport.nsw.gov.au>  
**Sent:** Wednesday, 4 March 2015 4:45 PM  
**To:** WILLIS Don  
**Subject:** RE: Information re NSW Combat Sports Authority  
**Attachments:** 3874\_001.pdf

Hi Don

Data for 2013 is at my finger tips !, so attached.

We have compliance issues with amateur contests, predominantly combatants not wearing headgear. In these cases, we seek a written explanation from the Promoter. Recently, the incidents have decreased, so let's say one per month.

The CSA holds Show Cause Hearings, let's say 6-8 per year. These are for alleged serious breaches e.g. hitting another trainer, doping etc.

John

**John Egan | Director**

Participation and Partnerships | **Sport and Recreation** | Office of Sport  
Level 3, 6B Figtree Drive, Sydney Olympic Park NSW 2127  
☎ (02) 8754 7950 | 📧 [john.egan@sport.nsw.gov.au](mailto:john.egan@sport.nsw.gov.au)  
dsr.nsw.gov.au | facebook.com/nswsportandrecreation



Office  
of Sport  
Sport & Recreation

**From:** WILLIS Don [mailto:Don.Willis@nprsr.qld.gov.au]  
**Sent:** Wednesday, 4 March 2015 5:30 PM  
**To:** Egan, John  
**Subject:** RE: Information re NSW Combat Sports Authority

Thanks very much John

Just out of interest, do you have figures on how many fight disciplines events are held annually in NSW which would be overseen by the CSA? Also, how many compliance issues are dealt (prosecuted) with by enforcement officers on a regular basis?

Many thanks

Don

**Don Willis | Principal Policy Officer**  
Policy, Research and Planning | Sport and Recreation Services |  
Department of National Parks, Sport and Racing  
T: 07 3338 9224  
F: 07 3607 2276  
E: [Don.Willis@nprsr.qld.gov.au](mailto:Don.Willis@nprsr.qld.gov.au)

**From:** WILLIS Don [mailto:Don.Willis@nprsr.qld.gov.au]  
**Sent:** Tuesday, 3 March 2015 2:43 PM  
**To:** Egan, John  
**Cc:** LAWRENCE Deirdre  
**Subject:** Information re NSW Combat Sports Authority  
**Importance:** High

Good Afternoon John

I have been given your name by Lucinda Jenkins to make contact with regarding the following enquiry.

You may be aware that a new Government was recently elected in Queensland. Sport and Recreation Services in Queensland have been asked by our new Minister to prepare a brief on policy options with respect to the possible regulation of Combat Sports in this State.

As New South Wales has a dedicated Combat Sports Authority (CSA) I am wondering if you may be able to provide us with some information that we could use to be able to inform our Minister's deliberations.

Specifically, I am interested in knowing:

- What the organisational structure of the CSA is
- What its establishment costs were
- What its ongoing annual operating budget is
- How many staff are employed
- How many enforcement officers are employed

Any information about these or other relevant matters which may assist us to apprise our Minister would be greatly appreciated.

I would also be grateful if you could provide any information to us at your earliest convenience.

Many thanks and regards

**Don Willis** | Principal Policy Officer  
Policy, Research and Planning | Sport and Recreation Services |  
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## Figures for 2013

### Summary of Permits Issued and Registrations from January to December 2013

**COMBAT SPORTS PROMOTIONS – Permits Issued:**

<u>Discipline</u>	<u>Professional Only</u>	<u>Pro / Am</u>	<u>Amateur Only</u>	<u>Total</u>
Boxing	20 (1)	17 (0)	120 (21)	157
Muay Thai & Kickboxing	1 (0)	8(1)	8 (1)	17
MMA	4 (1)	5 (0)	5 (0)	14
Mixed Discipline (combination of 2 or more of the above disciplines)	0	10 (0)	22 (2)	32
Permits Issued then Cancelled	2		24	27
<b>Totals</b>	<b>25</b>	<b>40</b>	<b>155</b>	

**REGISTRATIONS**

<u>Discipline</u>	<u>Combatants</u>	<u>Industry Participants</u>	<u>Totals</u>
Boxing	169	110	279
Muay Thai & Kickboxing	37	10	47
MMA	52	19	71
Mixed Discipline (combination of 2 or more of the above disciplines)	18	76	94
<b>Total</b>	<b>276</b>	<b>215</b>	<b>491</b>

In comparison to 2012 both Combatant and Industry Participant Registrations have shown a slight decrease. 2012 Combatant Registration was 289 (13 more than 2013) and Industry Participant was 243 (28 more than 2013).

## Committee of Australian Sport and Recreation Officials (CASRO)

Department of National Parks, Recreation, Sport and Racing

Agenda Item No: 6.3

Meeting Date: 20 March 2014

Date Prepared: 12 March 2014

### 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 on 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. Ms Paige Ridgewell, Director, Policy, Research and Planning is the Sport and Recreation Services representative on the Working Group.

#### Key Issues

5. 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.
6. Alternatively, Tasmania has introduced an approach that involves minimal regulation. It is an government-industry partnership model requiring contests to be mandated by sanctioning bodies that have minimum standards that are consistent with standards developed by the Tasmanian Government.

#### Implications for Queensland

7. Queensland does not currently regulate combat sports, referred to as fight disciplines in this jurisdiction.

While Queensland is committed to reducing unnecessary regulatory burden, particularly for those fight disciplines which are successfully self-regulating, there is a desire to improve safety, integrity and risk mitigation measures across fight disciplines and activities.
9. Queensland supports, in principle, developing guidelines for greater national consistency for the identified combat sport priority areas.
10. 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.
11. On 25 January 2014, the Minister approved for Queensland to progress work on a recommended option to improve fight discipline standards via a Government Industry Partnership Approach with compliance enforcement through the *Criminal Code Act 1899* and *Police Powers and Responsibilities Act 2000*.
12. Queensland is now investigating the implementation of a partnership model and is commencing discussions with Queensland Police Service regarding the relevant legislative amendments.

Position	Name	Ph (Work)	Ph (Mobile)	Initials & Date
Author: (Title) Senior Policy Officer	Stephen Gapsa	3338 9224	NA	
Director / Executive Director:	Mandy Downes / Paige Ridgewell	3338 9212		
Deputy Director-General	Richard Watson	33389209	(6) Personal information	30 of 38
Director-General	John Glaister	3338 9306		

**Agenda Item No 5.1: Combat Sports**

**PURPOSE**

To provide Ministers with an update on the work of the CASRO Combat Sports Working Group.

**BACKGROUND:**

New South Wales was tasked with the responsibility of chairing the CASRO Working Group to look into identifying the key issues facing combat sports regulation that could be addressed consistently across States and Territories including but not limited to:

- medical records (books)
- status/registration of amateur/professional participants/promoters
- consistency of prohibitions across jurisdictions
- provide advice on the impact of legislation in each State/Territory.

The Working Group is made up of Paul Doorn (Chair, NSW), Phillip Leslie (NT), Kylie Taylor (SA), Jenny Priest (ACT), Bec Thomas (Tas), Mandy Downes (Qld), Paige Ridgewell (Qld), Evan Stewart (WA) and Peter Hertan (Vic).

A survey was circulated on 8 October 2012 to the members of the Working Group. All jurisdictions and the Commonwealth completed the survey.

An analysis was conducted by NSW on the survey responses and a draft paper prepared. The draft paper was updated following feedback from Vic, TAS and ACT during May 2013.

The Discussion Paper recommends that:

To encourage a nationally consistent approach to combat sport regulation, it is recommended that the Ministers for Sport and Recreation:

- approve the CASRO Combat Sports Working Group to develop guidelines for each of the identified priority areas.

**Priority areas**

Combatants and industry participants:

- *developing minimum standards for registration requirements for combatants, including base level medical requirements. Base level medical requirements could also be used for ongoing monitoring of the fitness of combatants.*
- *developing guidelines and minimum standards, in consultation with sanctioning bodies, for drug testing of combatants*
- *developing minimum standards for registration requirements for industry participants*

- *creating consensus on the circumstances in which a resident of one state may be registered in another.*
- *exploring opportunities for consistent fee and charges structures.*

**Clearances:**

- *standard clearance templates for use by all jurisdictions to ensure that consistent information and processes are being used in the provision of the clearances.*

**Equipment:**

- *developing minimum standards of requirements for each sport/discipline in regard to protective equipment, clothing, ring and cage specifications.*

**Minimum Age:**

- *progressing a standard minimum age for amateurs, done on a sport by sport basis and in consultation with sanctioning bodies.*

**Fit and Proper Person:**

- *exploring opportunities for standardised fit and proper person definitions for participants in the combat sports industry.*

**ISSUES:**

- 1) There is a large body of work to be undertaken to progress national consistency and jurisdictions will need to allocate resources to the task.
- 2) Legislative and/or policy changes may be required in some jurisdictions.

**RECOMMENDATIONS**

**That Ministers:**

- a) Note the Combat Sports Discussion Paper.
  - Approve that the CASRO Combat Sports Working Group progress further discussions on areas for national consistency.
  - Approve that the CASRO Combat Sports Working Group develop guidelines for each of the identified priority areas.
- b) Request that CASRO provide an update report at the MSRM meeting in 2014.

# CASRO – COMBAT SPORTS WORKING GROUP

## Updates from State and Territories

### 1 Queensland

- Sport and Recreation Services (SRS) continues to explore options to guide the conduct of fight discipline activities in Queensland including the development of a voluntary Code of Practice.
- Representatives from SRS have met with the Department of Justice and Attorney-General and Queensland Police Service (QPS) to discuss exploring amendments to the Criminal Code Act 1899 and the Police Powers and Responsibilities Act 2000 to provide a legislative basis for the introduction of the minimal regulation for fight disciplines in Queensland.
- SRS anticipates a response from QPS to the proposed amendments detailed in the paper, enhancing the Self-Regulation of the Queensland Combat Sports Industry in the near future.

### 2 Victoria

#### 1. Amendments to the Professional Boxing and Combat Sports Act 1985

Changes to requirements for licensing of promoters, matchmakers, referees, judges, timekeepers and trainers (requirements for contestants are unchanged) came into effect on 7 November 2013.

People are automatically prohibited from holding a licence if they:

- have been convicted of an indictable offence and sentenced to imprisonment for 10 or more years; or
- are subject to a control order under the *Criminal Organisations Control Act 2012*, either as an individual or as a member of a declared organization; or
- are banned from the casino or racecourses by an exclusion order made by the Chief Commissioner under the *Casino Control Act 1991* or the *Racing Act 1958*; or
- have comparable convictions and sentences, or are subject to comparable orders, in other States or Territories.

The Board will then consider whether an applicant for a new or renewed licence is a fit and proper person to hold a licence, or if it is contrary to the public interest for that person to hold a licence. Applicants must provide a National Police Certificate with their application, and applications are also referred to Victoria Police for advice.

For existing licence holders, the Board may conduct an inquiry at any time into whether a person should continue to hold a licence under the Act. An inquiry may be held if the Board receives advice from Victoria Police or has reasonable grounds to believe that the license holder is not a fit and proper person to hold a licence or it is not in the public interest for the person to continue to hold a licence.

The *Professional Boxing and Combat Sports Regulations 2008* were amended in December 2013 to give effect to changes in the Act, and work is ongoing by the Board and Victoria Police to implement the new provisions.

#### 2. Other updates

As part of a whole-of-Victorian-Government process aimed at improving the efficiency of business regulation, the Board has set a program of work to be undertaken between 1 July 2014 and 30 June 2016 to improve administration and enforcement of regulation and reduce costs for business and the community. The Board's Statement of Expectations is publicly available at

## AMATUER BOXING OPTIONS AND IMPLICATIONS

PROPOSED OPTION	IMPLICATIONS	POSSIBLE RESOURCES REQUIRED
1. Status Quo – recognise that the QABA already has more than sufficient practices in place (as well as the League to a lesser extent.)	No enforceable rules for organisations who do not wish to follow QABA good practice. No education of what these good practices are to these organisations.	Nil
2. No legislation but develop a set of guiding principles for distribution to the sport.	Provides a guide for organisations to either check that they already have sufficient practices in place or identify deficiencies which should be addressed. To be effective would require some sort of education strategy. Not enforceable.	Limited resources required to distribute and print minimum standards and distribute to organisations. Costs associated with design, printing, distribution and education strategy to be considered. No long term financial implications. Estimated maximum \$10,000
3. Legislation of minimum level that is not proactively enforced but allows for legal action under common law if a breach is reported and substantiated. Legislation primarily focussed on minimum standard practices for public competition.	Provides minimum practices under a regulatory framework. No proactive policing of legislation so may not be a complete deterrent. However, as legislation should have some effect on improving standards. Only acted upon if breaches are reported or complaints made.	Some financial and human resources will be required to administer legislation, receive reported breaches and ensure these are followed up. Once legislation is established, this will require long term financial commitment for, at the minimum, the salaries and on costs for a part time officer of at least project officer level, accommodation, limited travel and other operational expenses. Also costs associated with developing the legislation. Estimated minimum \$45,000 per annum.
4. Legislation with a Watchdog committee. This committee would receive information on all proposed public contests and attend a randomly selected small sample of events throughout the year to monitor practices. Legislation primarily focussed on minimum standard practices for public competition. Breaches can be actioned under common law.	Provides minimum practices under a regulatory framework. No proactive policing of legislation so may not be a complete deterrent. However, as legislation and random monitoring of events should have some effect on improving standards. Only acted upon if breaches are observed through event attendance, reported or complaints made	Some financial and human resources will be required to administer legislation, monitor event schedules and ensure they are submitted, receive reported breaches and ensure these are followed and arrange random visits to events. Once legislation established, will require long term financial commitment for, at the minimum, salaries and on costs for a full time officer of at least project officer level, accommodation, travel and other operational expenses. Also costs associated with development of legislation. Estimated minimum \$75,000 per annum.

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<p>5. Legislation with a Boxing Authority. The Authority would run a permit system for all public competitions. Authority representatives would attend some/all competitions to monitor adherence to legislation. Legislation focussed on minimum standard practices for public competition as well as a permit system for accreditation. Breaches can be actioned under common law.</p>	<p>Provides minimum practices under a regulatory framework and permit system to accredit competitions and events. Proactive policing of legislation so should have some effect on improving standards. Acted upon if breaches are observed through event attendance, reported or complaints made. Issue with degree of policing and by who. (necessary police involvement?)</p>	<p>Financial and human resources will be required to administer legislation, monitor event schedules and ensure they are submitted, receive reported breaches and ensure these are followed up and arrange random visits to events, administer business of Authority. Once legislation is established, this will require long term financial commitment for, at the minimum, the salaries and on costs for one full time and one part time officer of at least project officer level, accommodation, travel, authority meeting and travel expenses and other operational expenses. Also costs associated with development of legislation. Estimated minimum \$150,000 per annum.</p>
<p>6. Legislation with a Boxing Authority. The Authority would run a permit and registration/accreditation system for all public competitions. Authority representatives would attend some/all competitions to monitor adherence to legislation. Legislation focussed on minimum standard practices for public competition, a permit system and register boxers, trainers, referees etc. Breaches can be actioned under common law.</p>	<p>Provides minimum practices under a regulatory framework, comprehensive accreditation of individual competitors and other participants and permit system to accredit competitions and events. Proactive policing of legislation and monitoring of individuals and officials within the sport so should have comprehensive effect on improving standards. Acted upon if breaches are observed through event attendance, reported or complaints made. Issue with degree of policing and by who. (necessary police involvement?)</p>	<p>Financial and human resources will be required to administer legislation, monitor event schedules and ensure they are submitted, receive reported breaches and ensure these are followed up and arrange random visits to events, administer business of Authority. Once legislation is established, this will require long term financial commitment for, at the minimum, the salaries and on costs for two full time officers of at least project officer level, accommodation, travel, authority meeting and travel expenses and other operational expenses (including establishment and maintenance of database to record registrations etc). Also costs associated with development of legislation. Estimated minimum \$200,000 per annum.</p>

RTI DISCLOSE - NPSR



**Minister for National Parks, Recreation, Sport, and Racing**  
Internal Briefing Note



Review By:	Action Required/Comments:
<input type="checkbox"/> Minister <input type="checkbox"/> Chief of Staff <input checked="" type="checkbox"/> Policy Advisor <input checked="" type="checkbox"/> Sport / Racing <input type="checkbox"/> National Parks <input type="checkbox"/> Media Advisor <input type="checkbox"/> Office Manager <input type="checkbox"/> Backbench Liaison <input type="checkbox"/> Administration	<p>Notes on Govt partnership research into improved SELF REGULATION of the BOXING INDUSTRY</p> <p>Please organise a meeting with Mr Osborne + Dept officials and a MOU rep</p> <p align="right">ch4-Signatur</p> <p align="right">sch4-Signature</p> <p>Name: <input type="text" value="4-Signat"/> Date: 13.05.14.</p>

RICHARD HATSON - PLS DISCUSS SOON

RTI DL RELEASE - NPSR

CTS No. 09270/14

Department of National Parks, Recreation, Sport and Racing  
MINISTERIAL BRIEFING NOTE

TO: Minister for National Parks, Recreation, Sport and Racing

SUBJECT: Request for reform in the sport of professional boxing in Australia

TIMEFRAME

- Noting of this briefing note is non-urgent.

RECOMMENDATION

It is recommended that the Minister:

- note** the Department of National Parks, Recreation, Sport and Racing (NPRSR) is currently working on the development of a government-industry partnership approach to better regulate the professional and amateur fight discipline industry in Queensland.

BACKGROUND/KEY ISSUES

- NPRSR supports the sport of amateur boxing in Queensland by providing financial and non-financial support to Boxing Queensland. Boxing Queensland is affiliated to Boxing Australia, who is the national governing body for the sport of amateur boxing in Australia. The Australian Sports Commission provides financial and non-financial support to Boxing Australia.
- Boxing Australia and subsequently Boxing Queensland oversee the interests of amateur boxers within Queensland and Australia. Additionally, there are other amateur leagues that operate in Queensland (for example, Sunstate Amateur Boxing League Inc) however, these are not affiliated to Boxing Queensland.
- The reform matter that Mr Mark Osborne is referring to in his letter of 11 April 2014 concerns the professional boxing industry (**Attachment 1**).
- The Australian National Boxing Federation (the Federation) was formed in 1965 and is the recognised governing body to oversee the conditions, pay and world opportunities for Australian professional boxing. As the governing body, the Federation is the legal owner of the Australian Championships and sanction Australian title contests and as such are the official ratings body for Australian professional boxing.
- The Federation currently has active state branches in Queensland, Victoria, New South Wales and South Australia.
- Queensland is currently the only jurisdiction along with the Northern Territory to not regulate fight disciplines (usually referred to as combat sports in other Australian states and territories).
- Although the Federation has a current set of standard rules and regulations that all professional fights must adhere to, community concern over safety promoted the Government to investigate whether to regulate both amateur and professional boxing and other fight disciplines in 1999-2000, 2007-2008 and in 2011. These investigations resulted in little or no feedback from the industry on the need for regulation and provided limited evidence or basis for the introduction of stand-alone legislation in Queensland.
- In June 2013, the Honourable Steve Dickson MP, Minister for National Parks, Recreation, Sport and Racing met with concerned citizens regarding fight discipline safety and the meeting of Sport and Recreation Ministers in July 2013 considered a discussion paper prepared by the Committee of Australian Sport and Recreation Officials Combat Sports Working Group focusing on improving national consistency in combat sport regulation.
- Resultant from these events, NPRSR was tasked with exploring a number of options in which Queensland could look at professional and amateur fight discipline reform across the State.
- In January 2014, the Minister approved NPRSR to explore and develop a government-industry partnership approach to improve self-regulation of the industry.

Chief of Staff.....	OK
Dated.....	5/2/14
Approved Not Approved Noted	
Further information required	
Minister.....	
Dated.....	/ /

<b>Author</b> Name: Kym Brandon Position: Senior Development Officer Tel No: 3338 9256 Date: 12 May 2014	<b>Endorsed by</b> Name: Sharon Hodges Position: Director, SRS Tel No: 3338 9250 Date: 5 May 2014	<b>Endorsed by</b> Name: Richard Watson Position: DDG, SRS Tel No: 3338 9209 Date: 6 May 2014	<b>Recommended</b> Name: John Glaister Position: Director-General, NPRSR Tel No: 3338 9307 Date: 37 of 38
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- This involves developing industry standards and providing a head of power for enforcement only where a public fight discipline contest is deemed to pose a danger to health or safety or undermine public standards of behaviour.
- NPRSR is currently working on development of the various aspects of the government-industry partnership approach including consultation with the Queensland Police Service and the Department of Justice and the Attorney-General.
- *Consultation:* Consultation with the Policy and Strategy Unit, Sport and Recreation Services, on fight discipline regulatory reforms is ongoing.

**MINISTER'S COMMENTS**

RTI DL RELEASE - NPSR

<p><b>Author</b>  Name: Kym Brandon  Position: Senior Development Officer  Tel No: 3338 9256  Date: 2 May 2014</p>	<p><b>Endorsed by</b>  Name: Sharon Hodges  Position: Director, SRS  Tel No: 3338 9250  Date: 5 May 2014</p>	<p><b>Endorsed by</b>  Name: Richard Watson  Position: DDG, SRS  Tel No: 3338 9209  Date: 6 May 2014</p>	<p><b>Recommended</b>  Name: John Glaister  Position: Director-General, NPRSR  Tel No: 3338 9307  Date: 38 of 38</p>
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