



Department of Planning and Community Development

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Mr Jon Hildebrand
Coroner's Registrar
Coroners Court of Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000

Dear Mr Hildebrand

THE INVESTIGATION INTO THE DEATH OF ANDRAS NAGY

I refer to your request for a response to the Coroner's recommendations arising from the inquest into the death of Mr Andras Nagy.

The Professional Boxing and Combat Sports Board notes that the Coroner has determined that the death of Mr Nagy was not preventable but has recommended that a number of regulatory and supervisory actions be implemented.

Pursuant to the *Professional Boxing and Combat Sports Act 1985* the Board is responsible for licensing promoters, trainers, referees, judges and matchmakers, registering contestants and issuing permits to licensed promoters for boxing, kickboxing and other combat sports promotions as well as training and development of industry officials.

Please find attached the Board's specific response to each of the four recommendations including a statement of any action taken or proposed. The Board would like to highlight that the implementation of any or all of the recommendations made by the Coroner will require changes to the Act and attendant regulations, together with an increase in resources.

Thank you for providing a copy of the Coroner's findings. Should your office require any further information concerning the Board's response I may be contacted on telephone 9935 8025 or email noel.sharpe@sport.vic.gov.au.

Yours sincerely



Noel Sharpe

Registrar/Secretary

Professional Boxing and Combat Sports Board

Level 8, 8 Nicholson St

East Melbourne Vic 3002

Attach.

<p>Coroner's Recommendations 1. That there be a system of regulation implemented which requires:</p>	<p>Professional Boxing and Combat Sports Board Response:</p>	<p>Possible or alternative action taken or proposed</p>
<p>a). Mandatory application for professional registration of boxers proposing to participate in professional training or who are participating in sparring at a level directed towards professional contest or with a professional boxer.</p>	<p>Professional boxing and those involved in sparring with professional boxers come from a variety of areas including amateur competition pathways, gyms, other sports that use boxing for fitness, the broader fitness industry, other combat sports, fitness trainers and "backyard gyms". Some of those who participate in sparring with registered professional fighters have no intention of being involved in a professional contest or no longer participate in competition. As such, the capacity to judge and regulate intent has led the Board to the view that this recommendation is unworkable.</p> <p>It would be difficult if not impossible to ensure a comprehensive and consistent level of compliance by all persons involved in boxing training and sparring that the Board has identified, or has been advised of, as having the intent of engaging in 'professional' training.</p> <p>Implementation would require changes to the <i>Professional Boxing and Combat Sports Act 1985</i> and additional resources.</p> <p>Current legislation only involves licensed or registered persons and who are 18 yrs of age and over.</p> <p>Even following the necessary changes to legislation, to have some chance of being effective in known training venues and gymnasiums, all training personnel would need to be accredited or licensed and compliance officers would also need to be appointed and trained.</p>	<p>The Board convenes an annual trainer's seminar to enhance the skills of licensed trainers.</p> <p>The Board will continue to emphasise the importance of good practice in regard to health and safety for athletes in training especially in regard to boxing and combat sports sparring activities.</p> <p>The next trainer's seminar is planned to occur between April and June 2012 and health and safety of athletes will be a key focus.</p>

Coroner's Recommendations (cont)	Professional Boxing and Combat Sports Board Response:	Possible or alternative action taken or proposed
<p>b) Mandatory medical certification as to fitness to compete, including blood testing, before a boxer participates in training or sparring at a level directed towards professional contest or with a professional boxer and that such blood testing be undertaken each 6 months.</p>	<p>Given the variety of people who participate in sparring and the pathways highlighted in the response to recommendation 1, this has led the Board to the view that this recommendation is unworkable.</p> <p>The current legislation provides for annual medical testing and six monthly blood serology testing for professional boxing and combat sports contestants.</p> <p>The Act provides no provisions for the Board to mandate fitness or blood tests for persons involved in training directed at participation at the professional level (for the purposes of professional competition).</p> <p>It would also place an additional burden on licensed trainers who would be required to gauge when a contestant may be ready to participate in such training or sparring and must therefore undergo (and pay a fee for) a regulated form of testing and certification</p>	<p>Under current arrangements boxers have annual medical testing and six monthly blood serology testing for professional boxing and combat sports contestants. Pre and post fight medical checks are also undertaken on all contestants.</p>
<p>c) Mandatory reporting of hospitalisation of any boxer of any status whether professional or amateur, for injuries sustained whilst participating in training, or sparring or competition.</p>	<p>Currently the Board only has jurisdiction for licensed professional contestants.</p> <p>Implementation may require changes to the Act and allocation of additional resources.</p> <p>Such reporting would be difficult to apply as broadly as the recommendation appears to require. Both the operation of the Act and the Board's responsibilities and role is restricted to professional boxing only. Reporting of injuries in amateur boxing is a matter for Boxing Victoria's consideration.</p>	<p>The Board is of the opinion that although statistics in regard to hospitalisation are not currently reported a process could potentially be developed to track such information.</p> <p>Such a process would be restricted to professional boxing data from the pre and post fight medical checks already in existence through legislation that all contestants undertake.</p>

Coroner's Recommendations (cont)	Professional Boxing and Combat Sports Board Response:	Possible or alternative action taken or proposed
<p>d) That the Boxing and Combat Sports Board implement a level of supervision upon gymnasiums, when the training of boxers is occurring at a level directed towards professional participation to ensure compliance.</p>	<p>Professional boxing and those involved in sparring with professional boxers come from a variety of areas including amateur competition pathways, gyms, other sports that use boxing for fitness, the broader fitness industry, other combat sports, fitness trainers and "backyard gyms". As such the supervision of gymnasiums is only one component of the training environment for professional boxers and the capacity to implement this as an effective measure is limited.</p> <p>Current legislation only involves licensed or registered persons and who are 18 years of age and over.</p> <p>The supervision of training, to specifically monitor the fitness of participants to spar, is not a current function of the Board and is not currently provided for under the Act.</p> <p>The recommendation would require compliance officers to be employed and trained. Regulation of such activity in gymnasiums, and its supervision by the Board, is not supported.</p>	<p>The standard of supervision and provision of an appropriate level of 'duty of care' in gymnasiums operated by licensed trainers is a matter for the industry to manage.</p> <p>Prior to changes to the legislation in 1997 there was some limited scope for a form of supervision to be undertaken by the Board.</p> <p>Subsequent regulatory reforms of government have resulted in the streamlining of boxing regulation to provide an equally effective, but less restrictive, means of improving safety while at the same time also reducing the regulatory burden on the industry.</p> <p>The Board will consider the future development, and promotion to the industry, of good practice guidelines for the supervision of persons training and sparring with a view to attaining a professional competitive level of skill and expertise.</p>