



20 March 2024

**Ms Kate Sanderson**  
Coroner's Registrar  
Coroner's Court of Victoria  
65 Kavanagh Street  
Southbank VIC 3006

Via email: [cpuresponses@coronerscourt.vic.gov.au](mailto:cpuresponses@coronerscourt.vic.gov.au)

Dear Ms Sanderson,

**Investigation into the death of Shane Tuck**  
**Coroners Court reference: COR 2020 003895**

I refer to your letter dated 11 December 2023 which enclosed a copy of State Coroner Judge Cain's Finding into the death of Shane Tuck following inquest (**Finding**).

The Australian Football League (**AFL**) acknowledges the Finding and welcomes the input of the Coroner, via his recommendations, which is consistent with the AFL's prioritisation of the health and safety of players at all levels of our game and which will form part of our ongoing process of consideration of potential improvements in our strategic approach to the prevention and management of concussion and other head trauma in Australian Football.

Pursuant to section 72 of the *Coroners Act 2008* (Vic), together with the extension of time provided by the Court by email on 7 March 2024 to the AFL's lawyer, Kieran O'Brien of DLA Piper, the AFL provides its written response to his Honour's recommendations contained within the Finding, including statements of action that have been, are being or will be taken in relation to his Honour's recommendations, in the attached **Annexure A**.

Your sincerely,

A handwritten signature in blue ink, appearing to read 'Stephen Meade', is written over a light blue horizontal line.

**Stephen Meade**  
**General Counsel**

Annexure A - AFL's response to the recommendations of State Coroner Judge John Cain contained within the Finding into Death Following Inquest dated 11 December 2023 with Court Reference COR 2020 003895

## ANNEXURE A

**AFL's response to the recommendations of State Coroner Judge John Cain contained within the Finding into Death Following Inquest dated 11 December 2023 with Court Reference COR 2020 003895**

No.	Recommendation	AFL's response and statement of action
1	The AFL consider implementing rules and guidelines that limit the number of contact training sessions in the off season, pre-season and during the season with a view to implementing these amended rules and guidelines by the commencement of the AFL/W 2025 pre-season.	<p><b>The Coroner's recommendation is in the process of being implemented.</b></p> <p>The AFL is presently considering the implementation of rules or guidelines that may limit the number of contact training sessions at AFL and AFLW Clubs in the off season, pre-season and/or during the season.</p> <p>Prior to receipt of the Finding, the AFL already had in place Health and Safety Guidelines prohibiting combat boxing and sparring between two players and/or players and officials at AFL and AFLW training sessions. This prohibition took effect from 29 July 2021 and is contained within the AFL's <i>Guidelines for the Management of Boxing Training at AFL and AFLW Clubs (including a Prohibition on Combat Boxing and Sparring)</i> issued under AFL Regulation 37.</p> <p>In considering the implementation of rules or guidelines that may limit the number of contact training sessions at AFL and AFLW Clubs in the off season, pre-season and/or during the season, the AFL is in the process of compiling training data that it already has in its possession and collecting further data from Clubs regarding the type, number and duration of training sessions held with particular focus on training sessions that involve contact.</p> <p>As part of that work, the AFL is in the process of identifying the circumstances of concussions sustained during training, including the type of training in which the injury occurred (e.g. match simulation, or other drills, such as tackling drills or marking drills), as well as understanding the frequency and duration of the various types of training being undertaken by Clubs.</p> <p>Acknowledging that a focus of the Coroner's recommendations is on repeated head trauma (in addition to instances of diagnosed concussions), training concussion data is the best available data that serves as a robust surrogate measure of head impact frequency and magnitude in training. In other words, by procuring a more sophisticated understanding of how concussions have been sustained at training, we will be much better placed to understand how head trauma more generally is being sustained in training.</p> <p>The collection and review of data held by the AFL commenced in early 2024 and the AFL will shortly request further data from Clubs, as necessary, to support this review and consideration.</p> <p>Once the data collection and analysis is complete, the AFL will consider potential options for the reduction of contact training if that is deemed appropriate. Input from key stakeholders, which may</p>

		<p>include the AFL Players Association (<b>AFLPA</b>), AFL Coaches Association (<b>AFLCA</b>) and AFL and AFLW Clubs, will also be sought prior to any potential implementation of further rules or guidelines limiting contact training sessions.</p> <p>The consideration of the recommendation, including the collection and review of data and engagement with stakeholders, will take place throughout 2024. It is anticipated that any further rules and guidelines arising out of this consideration will be implemented prior to the commencement of the pre-season for the 2025 AFL Season.</p>
2	<p>The AFL implement a rule whereby concussions spotters at elite AFL/W games be empowered to mandate that a player be removed from the field of play for a medical assessment based on their live and/or video review of an incident.</p>	<p><b>The Coroner's recommendation has been implemented.</b></p> <p>The AFL has, within its <i>Guidelines for the Management of Sport-Related Concussion – AFL &amp; AFLW</i> dated 6 March 2024 and updated for the 2024 Premiership Seasons, empowered medical spotters within the AFL Review Centre (<b>ARC</b>) ("<b>ARC Concussion Spotters</b>") to mandate the removal of an AFL or AFLW player from the field of play for a comprehensive off-field clinical assessment (including a SCAT).</p> <p>The AFL's <i>Guidelines for the Management of Sport-Related Concussion – AFL &amp; AFLW</i> are reviewed annually. A copy of the current version dated 6 March 2024 is attached.</p>
3	<p>The AFL employ independent medical practitioners to attend all elite AFL/W games to assist club doctors in the assessment of a player for a suspected or actual head injury. Whilst the decision to enter a player into concussion protocols should be a joint decision by the independent medical practitioner and the club doctor, if a situation arises whereby the club doctor and independent medical practitioner cannot agree, the opinion of the independent medical practitioner should prevail.</p>	<p><b>The Coroner's recommendation is under consideration.</b></p> <p>The AFL is amenable to the recommendation that it employ independent medical practitioners to attend all AFL and AFLW games to assist club doctors in the assessment of a player for a suspected or actual head injury, noting that the AFL already appoints independent medical practitioners to attend AFLW matches to assist club doctors in their treatment of injuries, including concussive injuries.</p> <p>As such, the AFL is considering the Coroner's recommendation to appoint independent medical practitioners to also attend all AFL matches and that such independent doctors in both the AFL and AFLW assist club doctors in the assessment of a player for a suspected or actual head injury and associated operational processes.</p> <p>The AFL's consideration of this recommendation will, amongst other things and with input from AFL industry stakeholders including the AFLPA and AFL Clubs, include:</p> <ul style="list-style-type: none"> <li>• consideration of the processes currently in place, including any potential enhancements that may be available through increased resources;</li> <li>• consideration of the potential role and duties of the independent medical practitioner at AFL and AFLW matches (noting again that independent doctors already</li> </ul>

		<p>attend AFLW matches and provide assistance to club doctors);</p> <ul style="list-style-type: none"> <li>• liaising with other professional contact sports globally to identify, and benchmark against, processes implemented in their respective sports (this process having already commenced in early 2024);</li> <li>• reviewing the feasibility of appointing independent medical practitioners to attend all AFL matches (including identifying a cohort of appropriately qualified and available medical practitioners to undertake this role, considering any need and cost to develop or enhance educational programs for medical practitioners relevant to AFL and AFLW matches, policies and other necessary administrative requirements);</li> <li>• considering the potential benefits that may or will be achieved through implementing this recommendation; and</li> <li>• considering whether it is appropriate and best practice for, and whether there may be a risk of unintended consequences arising by reason of, the opinion of the independent medical practitioner prevailing in circumstances where the club doctor and independent medical practitioner cannot agree whether the player should enter concussion protocols. In considering this matter, alternative mechanisms for accommodating the input of an independent doctor and resolving any disagreement between the club doctors and the independent doctors in terms of return to play decisions will also be considered (e.g. in absence of agreement between the club doctors and the independent doctor then, say, the player will not return to play).</li> </ul>
4	<p>The AFL in consultation with the ALFPA consider how to best improve player awareness and review its current educational material on concussion and repeated head trauma including the risk of CTE to expressly address:</p> <ul style="list-style-type: none"> <li>a) recognising the acute signs and symptoms of concussion and head trauma;</li> <li>b) responding and managing concussion and head trauma; and</li> <li>c) understanding the short and long-term risks of concussion and repeated head trauma.</li> </ul>	<p><b>The Coroner's recommendation is being implemented.</b></p> <p>The AFL's doctor-led concussion education program is delivered in-person to AFL and AFLW teams (which includes players, coaches and healthcare personnel) and addresses, amongst other things:</p> <ul style="list-style-type: none"> <li>a) recognising the acute signs and symptoms of concussion and head trauma;</li> <li>b) responding and managing concussion and head trauma; and</li> <li>c) understanding the short and long-term risks of concussion and repeated head trauma.</li> </ul> <p>That education program is reviewed annually, considering feedback from previous sessions and stakeholders, including input in respect of concussion management as received from time to time from members of the AFL Doctors Association (<b>AFLDA</b>), to promote up-to-date and contemporary information. The AFL reviewed its current education materials in late 2023/early 2024 and received and incorporated feedback from the AFLPA prior to delivering in-person doctor-led education sessions at AFL teams in January to March</p>

		<p>2024 in advance of the commencement of the AFL season in March 2024. The AFL, with the support of the AFLPA, also delivered a doctor-led education session to AFL accredited player agents on 6 March 2024.</p> <p>The AFL will continue to consider, including in consultation with the AFLPA, how best to improve player awareness and education, including consideration of delivery methods and recipients of the education, in addition to education currently in place. This consultation will continue throughout 2024 ahead of the 2025 AFL season.</p> <p>The AFL anticipates that further improvements will be made (in accordance with the Coroner's recommendation) prior to the delivery of the education program for AFLW teams prior to the commencement of the 2024 AFLW season in August 2024.</p>
5	<p>The AFL:</p> <ul style="list-style-type: none"> <li>a) continue to develop and disseminate its educational materials for prospective players and their families on the risk of repetitive head trauma in Australian rules football;</li> <li>b) review existing and develop further educational material, and disseminate it, concerning expressly and explicitly the risk of developing CTE through repetitive head trauma associated with the playing of Australian rules football, and do so expeditiously;</li> <li>c) continue to develop educational material with accessible language, and disseminate it through variety of platforms including in-person and virtual forums, social media platforms and webinars to reach children and the broader community concerning the risk of repetitive head trauma and its consequences by the playing of Australian rules football, and do so expeditiously;</li> </ul>	<p>Adopting the numbering within the Coroner's recommendation:</p> <ul style="list-style-type: none"> <li>a) <b>The Coroner's recommendation in sub-clause (a) is being implemented.</b> <p>Prior to receipt of the Finding, the AFL made available to the public, including prospective players and their families, a 'Concussion hub' on its website, <a href="https://afl.com.au">afl.com.au</a>, containing information and various resources on concussion and head trauma. The 'Concussion hub' can be accessed <a href="#">here</a>.</p> <p>The AFL has and continues to review, develop, update and disseminate or make available educational materials for players (including prospective players) and their families which address the risk of repetitive head trauma. Such educational material includes the development of a pre-recorded educational webinar which will be made available prior to the 2024 community football season, updating <i>The Management of sport-related concussion in Australian Football</i> (i.e. the community football concussion guidelines) and supporting resources, and updating its <a href="https://play.afl">play.afl</a> website (which contains easily accessible, up-to-date and clear information and resources on concussion and head trauma for community football participants, volunteers and organisations).</p> <p>In developing and disseminating education materials, the AFL will take steps to ensure the information on risks of concussion and repetitive head trauma is clear, contemporary, and presented in a balanced fashion and includes a statement regarding the risk of developing CTE-neuropathology associated with playing Australian Football.</p> </li> <li>b) <b>The Coroner's recommendation in sub-clause (b) is being implemented.</b> The AFL refers to its response to (a) above, in particular in reference to the recently developed pre-recorded education webinar which will be made</li> </ul>

	<p>d) consider developing and disseminating information targeted at points of transition in the playing of Australian rules football that is specific to the level of transition and including information about heightened risk of repetitive head impacts, including the development of neurodegenerative disease, including CTE; and</p> <p>e) in developing this accessible and informative educational material that further consideration be given to how that educational material can be adopted at all community levels and in all environments in which Australian rules football is played including in suburban competitions, rural settings and through AFL supported competitions such as Auskick. The AFL consider obtaining evidence-based advice with respect to the most appropriate means to reach different community groups with its educational material.</p>	<p>available prior to the 2024 community football season and the updated version of <i>The Management of sport-related concussion in Australian Football</i> (i.e. the community football concussion guidelines), which both specifically address the risk of longer-term problems in brain function (e.g. CTE, dementia) which may be associated with repeated head impacts.</p> <p>c) <b>The Coroner's recommendation in sub-clause (c) is being implemented.</b> The AFL refers to its response to (a) above and says further that it has recently approved significant funding to engage, and is in the process of engaging, an external consultant to upgrade and further develop the AFL's 'Concussion hub' and educational resources, including the production of a flagship video series with accessible language and information, and develop a series of educational content for parents to be distributed through a variety of platforms, including electronic direct mail and social channels. The content, mode and manner of delivery of those educational resources is being formulated with specific cohorts in mind and is informed by evidence-based analysis undertaken by the consultant.</p> <p>d) <b>The Coroner's recommendation in subclause (d) will be implemented.</b> The AFL will shortly undertake consideration of developing and disseminating information targeted at points of transition in the playing of Australian Football and such consideration will address the best transition points for the dissemination of information, including transitions between various formats of Australian Football, and the content of information relevant to the particular transition point. The AFL anticipates that such work will be undertaken over the course of 2024 with a view to implementing any new initiatives in relation to this matter in 2025.</p> <p>e) <b>The Coroner's recommendation in subclause (e) is being implemented.</b> The AFL refers to its responses in (a) - (d) above. There is a process of continuous improvement with respect to the formulation and delivery of educational resources to our various cohorts.</p>
6	<p>The Royal Australian College of General Practitioners give consideration to expanding the education programs for general practitioners provided at medical colleges, in medical degrees and within the ongoing professional development and training programs on the short and long-term effects of repetitive head trauma associated with contact sports and the risk of</p>	<p><b>The AFL supports this recommendation.</b> The AFL will provide any support to the Royal Australian College of General Practitioners that may assist, including by sharing with the College information as to education resources. The AFL also anticipates that concussion education sessions presented to the AFLDA Professional Development conference annually may assist the College in respect of this matter.</p>

	developing serious brain injury and disease, including CTE.	
7	The AFL continue to disseminate and develop evidence-based, and easy to understand education materials for concussion and repetitive head trauma for elite AFL/W and community club doctors, coaches, trainers and other volunteers involved in the Australian football community.	<p><b>The Coroner's recommendation is being implemented.</b></p> <p>The AFL will continue to disseminate and develop evidence-based and easy to understand education materials for various persons involved in elite and community Australian Football, noting that:</p> <ul style="list-style-type: none"> <li>i. Prior to the receipt of the Finding, the AFL has delivered concussion sessions annually at the AFLDA Professional Development conference (most recently in November 2023);</li> <li>ii. The doctor-led in-person education program delivered to AFL and AFLW teams referred to in the AFL's response to recommendation 4 above include coaches and healthcare personnel at the AFL and AFLW Clubs;</li> <li>iii. The AFL delivered a 'train the trainer' session on concussion to medical practitioners engaged by AFL Talent Pathway programs nationally, who in turn present to coaches, high performance personnel, trainers and players within their respective Talent Pathway program;</li> <li>iv. The AFL has developed and made available to all participants and other persons involved with Australian Football (including volunteers) an on-line <i>Concussion Management in Community Football</i> module which is a mandatory requirement for registered coaches. In addition, the AFL is currently developing a bespoke module for community football first aid staff and sports trainers.</li> <li>v. The educational material referred to in the AFL's response to recommendation 5 (a) and (b) is made available to persons involved in Australian Football and more broadly to all members of the public.</li> <li>vi. The AFL continues to engage with, and participate in, the Concussion in Sport Group and the International Collision Sport Group (which is made up of representatives from leading sports world-wide that involve full body contact) to promote the dissemination of clear, contemporary, and evidence-based information and education materials.</li> </ul> <p>The AFL will continue to update and disseminate the above education materials in 2024 and consider the development of further education materials in 2024 and future years.</p>
8	The AFL take all reasonable steps to promote and extend the use of mouthguard accelerometer technology in elite AFL/W clubs with a view to extending player uptake to 80% for the 2024 AFL/W season. In doing so, the AFL should consider	<p><b>The Coroner's recommendation is under consideration.</b></p> <p>The AFL continues to strongly encourage the use of mouthguard accelerometer technology by AFL and AFLW players through current education programs (as referred to in our responses to recommendations 4 and 10) and will consider further ways to increase uptake across the AFL and AFLW seasons in an effort to</p>

	obtaining specialist advice on overcoming any legal and privacy issues which may prevent the AFL from mandating the use of the mouthguard accelerometer technology in elite AFL/W clubs and using the data for clinical research purposes.	<p>extending player uptake in 2024 and 2025. As it presently stands, player uptake will not reach 80% in 2024.</p> <p>The AFL has completed the first phase of data collection from instrumented mouthguards worn by AFL and AFLW players in matches during 2021-23 with the analysis of that data by independent research partners at Monash University underway and expected to be completed at the end of June 2024. The analysis is examining the validity and utility of the instrumented mouthguards which will inform future support by the AFL for their use in matches and at training. The AFL also remains in communication with other national and international contact sports including the National Football League (NFL), World Rugby and National Rugby League (NRL) regarding their instrumented mouthguard programs. All of these matters will be important considerations in efforts to increase uptake of the mouthguard accelerometer technology.</p> <p>The AFL is in the process of obtaining specialist advice regarding legal and privacy issues which may prevent the AFL from mandating the use of instrumented mouthguards in elite AFL and AFL programs and using any data collected for clinical research purposes.</p>
9	The AFL develop and implement standardised neurological baseline testing for all elite AFL/W players. The data obtained from the standardising neurological baseline testing should be linked to the clinical profile of each player and should occur at the beginning of each elite AFL/W season. The data obtained by the AFL should be used to further longitudinal research into player brain health and the impact of repetitive head trauma in the playing of Australian rules football. If a player does not wish for their deidentified data to be used for research purposes, they should be required to opt out.	<p><b>The Coroner's recommendation is under consideration.</b></p> <p>As it presently stands:</p> <ol style="list-style-type: none"> <li>The AFL strongly recommends baseline testing for all AFL and AFLW players and which should incorporate annual preseason neurological assessment (that includes the SCAT6 or components of) and a computerised screening cognitive test (e.g. Cognigram, which is currently used by all AFL Clubs); and</li> <li>All new AFL or AFLW players must undergo screening to determine the number of previous concussions sustained, history of prolonged recovery from concussion(s) and the player's previous management of concussion.</li> </ol> <p>With the introduction of the AFL Brain Health Initiative (being the AFL's new prospective, longitudinal brain health research program) (BHI) it is planned that clinical testing will be incorporated into standard baseline and post-concussion assessment protocols to help inform longitudinal research objectives. It is noted that the explanatory statement provided to players through the BHI will clearly delineate whether a measure is for clinical or research purposes or both. Given the ethical requirements, it is unlikely that an institutional ethics board would grant opt out consent but rather require players to opt in. The precise nature of the clinical testing is still under consideration by the Concussion Innovation &amp; Research Working Group (being a working group of the AFL Concussion Steering Group), with consultation from the advisory AFL Concussion Scientific Committee.</p>
10	The AFL should develop educational material aimed at elite	<b>The Coroner's recommendation is being implemented.</b>



	<p>AFL/W players on the benefits of neurological baseline testing and the use of the deidentified data for clinical purposes to further longitudinal research into player brain health and repetitive head trauma in the playing of Australian rules football. Any such educational material should be evidence-based, updated with the current scientific research and disseminated with the assistance of the AFLPA.</p>	<p>In January to March 2024, following the in-person doctor-led education sessions at AFL Clubs referred to in the response to recommendation 4 above, a further education session was delivered to AFL players regarding the AFL's proposed Brain Health Initiative (prospective, longitudinal brain health research program) (<b>BHI</b>) which outlined the rationale for the baseline testing and the use of players' de-identified data for research purposes with their informed consent. The AFLPA worked with the AFL to ensure relevance of approved content. These sessions will also be delivered to AFLW players ahead of the 2024 AFLW season.</p> <p>In 2025, these sessions will be repeated with increased detail for players and complemented by the development of a website, flyers with frequently asked questions about the BHI and their participation, and culturally sensitive materials for Aboriginal and Torres Strait Islander Peoples who may wish to participate.</p>
11	<p>The AFL and AFLPA expedite and improve their communications with AFL/W players (past and present) and encourage them to donate their brains at end of life for further research. That encouragement should include concrete information and education about the risks associated with repetitive head trauma including CTE that is delivered throughout a player's career and beyond.</p>	<p><b>The Coroner's recommendation is being implemented.</b></p> <p>Prior to the receipt of the Finding and since 2021, the AFL has, together with the AFLPA, encouraged past and present players to consider donating their brains at end of life for further research. The AFL has previously consulted with the AFLPA and supports the communication of the encouragement of past and present players to consider brain donation, together with the ability to access further information in respect of brain donation, through resources made available by the AFLPA to AFL/W past and present players: for example see <a href="#">2024 AFL Players' Handbook</a> and <a href="#">2023 AFLW Players' Alumni Handbook</a>.</p> <p>The BHI education sessions delivered by the AFL to AFL Clubs in January to March 2024 (referred to in the AFL's response to recommendation 10 above) addressed potential risks of repeated head impacts and concussion to long term brain health and the need to identify CTE and like diseases on autopsy, thereby encouraging players to donate brains for research purposes. The BHI educational sessions also outlined that there is not only a need for brain donations from those with potential impairment, but also those from whom there would be no neuropathological disease expected. In 2025, these sessions will be repeated with increased detail for players and complemented by the development of a website and flyers with frequently asked questions.</p> <p>The AFL has also engaged with, and attended meetings in 2023 and 2024 with, both the Australian Sports Brain Bank and the Sydney Brain Bank to develop an approach to collaboration and to promote and facilitate a brain donor program that is strongly linked to clinical data collection through the BHI. The AFL's engagement with these Brain Banks in respect of the potential establishment of a brain donor program will continue in 2024.</p>
12	<p>The Commonwealth Department of Health facilitate the adequate funding of brain banks nationally.</p>	<p><b>The AFL strongly supports this recommendation.</b></p>

13	I recommend that the AFL explore with the AFLPA how they may engage the AFLPA in assisting with education and training for players on concussion and the risks associated with repetitive head trauma.	<b>The Coroner's recommendation is being implemented.</b>  The AFL refers to its response to recommendation 4 above.
14-21	The DJSIR extend the terms of reference for the review of the Board's regulatory framework to include a review of the oversight and regulation of amateur boxing and combat sports in Victoria and that the training and education regimes in amateur and professional boxing and combat sports be aligned and standardised.	<b><i>The AFL does not provide a response or any statement of action to recommendations 14 - 21 as they pertain to boxing and combat sports in Victoria and not Australian Football.</i></b>