



Deputy State Coroner Spanos
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Date: 20 August 2026

By email: [REDACTED]

Coronial investigation into the death of [REDACTED]
Coroners Court of Victoria | Case no. COR 2024 006825

Dear Deputy State Coroner Spanos

Background

We refer to the above matter in which Your Honour provided findings on 14 May 2026 that were electronically provided to us on 20 May 2026 (**Findings**). In the days following, the Findings were published on the Coroners Court of Victoria website. We note that we raised concerns in our correspondence that the Findings appeared to be critical of Motorsport Australia and we had not been given notice of it. We were grateful the Coroner's Office confirmed "*Her Honour has made no findings that Motorsport Australia's conduct caused or contributed to [REDACTED] death in any way*".¹ We were also pleased that Your Honour directed the Findings be removed from the Coroners Court of Victoria website, to be re-published alongside Motorsport Australia's formal response to the recommendations. This now means interested members of the motorsport community can review the Findings alongside important context from our organisation.

Recommendations

Your Honour made the following two recommendations pursuant to section 72(2) of the Act:

1. *That Motorsport Australia considers requiring medical examinations at an appropriate frequency for licence renewal applicants aged 16 to 59 years.*
2. *That Motorsport Australia considers implementing an additional step in their process whereby on receiving a medical examination report 'Form B' from an applicant, Motorsport Australia contact the examining medical practitioner directly to verify the form before approving the licence or renewal application.*

In compliance with ss 72(3)-(4) of the Act, Motorsport Australia responds as follows.

¹ Enclosed with this response is our letter dated 21 May 2026 (**Tab 1**), reply correspondence dated 29 May 2026 (**Tab 2**), our response dated 1 June 2026 (**Tab 3**) and reply correspondence dated 4 June 2026 (**Tab 4**).

1 Recommendation 1

Formal response: The coroner's recommendation to consider requiring medical examinations at an appropriate frequency for licence renewal applicants aged 16 to 59 years has been addressed.

- 1.1 As we indicated in our previous correspondence, we were not aware there was a possibility of this recommendation being made until we reviewed the Findings. If we were notified, we would have been able to provide the following information to the Coroners Court, as the organisation has dedicated time and resources over a number of years to consider the appropriate frequency of medical examinations required for circuit licence holders of various ages.
- 1.2 Motorsport Australia has a longstanding National Medical Advisory Committee (**NMAC**) which provides specialist advice and assistance on medical matters, including the development of rules, guidelines and standards. It is a volunteer committee, made up of a Motorsport Australia Chief Medical Assessor, medical practitioners and a paramedic, all with an interest and passion for motorsport safety.
- 1.3 Motorsport Australia, on advice and assistance from NMAC, periodically considers its medical requirements including the medical process and minimum age for circuit licence renewals, as well as licence renewals in other disciplines of the sport. Motorsport Australia's circuit standards are of a higher safety standard than other Australian motorsport regulators. To provide some context:
 - (a) Motorsport Australia previously required applicants from the age of 45 to complete a comprehensive medical assessment defined by NMAC, and following which, they would be required to undergo medical examinations every two years. It initially mirrored the regulations of Motorsport UK.
 - (b) After further review and investigations were performed by Motorsport UK, it was determined that there was limited data to support the mandatory medical examination at 45 years of age, prompting an increase to age 60. Thereafter, applicants would require medical assessments every five years, which would then be increased to biennially once they reach age 70. By comparison, Germany at that time had a mandatory medical examination requirement of age 75.
 - (c) Following consultation with Motorsport UK, Motorsport Australia determined it had imported an onerous requirement on its applicants compared to its counterparts across the world. At that time, many applicants considered the requirement unduly burdensome and communicated consistent negative feedback to Motorsport Australia. Some members also informed Motorsport Australia that they had elected not to renew their licences and had instead obtained licences through a competing organisation, the Australian Auto-Sport Alliance, to avoid the requirement.
 - (d) Effective 1 August 2024, on the recommendation of NMAC, the Motorsport Australia Board resolved to increase the age threshold for mandatory medical examinations from 45 to 60 years, bringing its approach into closer alignment with Motorsport UK and the Fédération

Internationale de l'Automobile. That decision was made following consideration of the available evidence and was not undertaken lightly. At that time, Motorsport Australia's review of licence holders under the age of 60 had not identified any serious or critical incidents attributable to an underlying medical condition. First-time applicants remained subject to a mandatory medical examination, while existing licence holders continued to be required to complete an annual medical self-declaration. The change received support from Motorsport Australia stakeholders and competitors.

- (e) As stated by Gabriella Bornstein in her Outline of Evidence dated 19 March 2026 (**Tab 5**), through this process, NMAC prepared updated Motorsport Australia Medical Standards in October 2024 with input from the Motorsport Risk & Safety Committee. These Medical Standards were approved by the Motorsport Australia Board. They reflect a considered balance between participant safety and the practical sustainability of the sport.

1.4 The Medical Standards continued to be reviewed and evaluated following the 2024 implementation. Relevantly:

- (a) In February 2025, Motorsport Australia reviewed the medical processes implemented along with stakeholder feedback. Following that review, it was determined that no amendments to the existing requirements were warranted.
- (b) In May 2025, Motorsport Australia reviewed the medical processes again. Following that review, it was determined that no amendments to the existing requirements were warranted.
- (c) In June 2025, Motorsport Australia reviewed the Medical Standards again. While certain aspects remained less stringent overseas, Motorsport Australia determined that the current requirements were to remain in place and that no relaxation should occur. Since then, the Medical Standards, including with respect to the medical examination requirements (frequency and age-based intervals) have remained a standing agenda item for NMAC.

1.5 Following review of the Findings, Motorsport Australia gave careful consideration to the matters raised and resolved to refer the recommendations to NMAC for expert review and advice. NMAC was provided with a copy of the Findings and afforded an opportunity to consider the issues and comments. NMAC then met to discuss the Findings and consider whether the Medical Standards should be amended to require circuit licence renewal applicants aged 16 to 59 years to undergo periodic medical examinations. In undertaking that review, NMAC considered the available data concerning medical incidents involving competitors at motorsport events and conducted a risk assessment of the issues identified by Your Honour. NMAC concluded that the existing Medical Standards remained reasonable, appropriate and consistent with both domestic and international practice. NMAC therefore did not recommend any amendment to the Medical Standards. That advice was subsequently provided to Motorsport Australia.

1.6 The age requirements for medical examinations in the Medical Standards will remain the subject of ongoing review by Motorsport Australia and NMAC. In the meantime, for the reasons set out above,

Motorsport Australia considers that it has given full and proper consideration to Your Honour's recommendation and has appropriately addressed it at this time.

2 **Recommendation 2**

Formal response: The coroner's recommendation to consider implementing an additional step in the process whereby on receiving a medical examination report 'Form B' from an applicant, Motorsport Australia contacts the examining medical practitioner directly to verify the form before approving the licence or renewal application has been addressed.

Audit outcome

- 2.1 Following notification from the Coroner's office of concerns that [REDACTED] medical examination form may have been altered, Motorsport Australia undertook an internal audit of the applications of the approximately 2,846 active licence holders who had been required to submit a medical examination form.² We are grateful Your Honour brought this issue to our attention. The internal audit was directed toward assessing the authenticity of submitted documentation, verifying that applications had been appropriately approved, and identifying any irregularities or features warranting further investigation.
- 2.2 At the commencement of the audit, Motorsport Australia recorded the preliminary identification details, dates of last medical assessment and next required medical assessment. Each licence holder's database profile was then individually reviewed by the audit team, including cross-checking of all past medical examination records to identify any irregularities, inconsistencies or potential duplication. This included considering any unusually similar or materially identical comments or handwriting to identify any potential manipulation or authenticity concerns, as was the issue ultimately identified with [REDACTED] documentation. The audit team also considered whether several key compliance requirements had been satisfied, including in relation to valid certification of fitness to compete declaration, the presence of the medical practitioner's stamp and practitioner details, provision of assessment documentation within the applicable validity period, and inclusion of the entirety of the medical assessment record in the file.
- 2.3 Overall, the audit process incorporated ongoing reporting mechanisms to support compliance monitoring. Weekly reports were provided to the Member Services team identifying members whose medical assessments contained potential discrepancies or required further review. These reports primarily related to minor administrative deficiencies pertaining to the above data, rather than critical safety concerns. Following receipt of each report, the Member Services team conducted further assessment of the relevant records and contacted members directly where corrective action was required. This process enabled potential issues to be identified and rectified as the audit progressed,

² See paragraph 5.5(b) of Ms Bornstein's Outline of Evidence dated 19 March 2026.

ensuring continued compliance with Motorsport Australia's medical assessment requirements while maintaining the integrity and accuracy of member records.

- 2.4 On completion of this audit, there were issues identified with the medical assessment records of 186 members (approximately 6.5% of the total audit pool). These issues are described below:

1	Duplicate form submitted.
63	The application was missing a practitioners 'fitness to compete' declaration (i.e. the box was not ticked). In all cases this was an inadvertent error because the practitioner had certified the applicant was 'fit to compete' elsewhere in the form.
47	The application was missing pages in medical reports. These were almost all scanning issues, none of which were material.
10	The application was missing signature of medical practitioner, however in most cases the practitioner had stamped/dated the document, so this was not material.
54	The application was missing the medical practitioner's stamp. In all cases, the practitioner had signed and dated the document, so this was not material.
11	Miscellaneous issues (for example, incorrect format).

- 2.5 When the above issues were identified and immediate consultation with the competitor was necessary, Motorsport Australia did this promptly to determine whether it was an administrative error or a material issue requiring resubmission (for example, with the identified duplicate).

- 2.6 The remaining 93.5% of audit pool members showed correctly completed medical assessments. Following the completion of the audit, a series of discussions were undertaken with senior staff and the Member Services team to identify opportunities for improvement within Motorsport Australia's medical assessment process. While the audit demonstrated that the existing review process is generally operating effectively, several measures have been identified to strengthen consistency, efficiency and overall compliance:

- (a) **Verification of validity:** Further refresher training was provided to the Member Services Team who are responsible for reviewing medical assessments submitted by members prior to licence issuance or renewal. Time was dedicated to reinforcing the key requirements that must be satisfied before a medical assessment can be accepted as valid for licensing purposes. This has assisted in establishing a more consistent review framework across the team and enhanced awareness of issues identified during the audit. As a result, the existing review process is expected to operate with greater consistency and accuracy when assessing future medical submissions.

- (b) **Streamlining forms:** The audit highlighted opportunities to simplify the current medical assessment forms. Consideration is currently being given to removing duplicated certification requirements, including repeated declarations regarding fitness to compete, medical practitioner stamps, signatures and dates that currently appear across multiple sections of the assessment process. Consolidating these requirements within Form B would reduce unnecessary repetition, improve usability for medical practitioners and members and minimise the likelihood of administrative errors.
- (c) **Annual watermarking:** In response to the concerns that prompted this audit, Motorsport Australia has implemented watermarking on medical assessment forms, with the forms updated annually. On each page of the form, behind the text, is now a layered Motorsport Australia logo along with the current year. This provides a straightforward mechanism for identifying outdated or potentially suspicious medical reports and makes it more difficult for applicants to tamper with the documentation.

Consideration of an additional verification measure

- 2.7 Motorsport Australia has already undertaken a consultation and review processes directed to the utility, necessity and practical operation of requiring individual verification of external medical assessment and certification documentation submitted by members. As noted in paragraph 2.10 of Ms Bornstein's Outline of Evidence, Motorsport Australia updated the medical examination forms following those reviews.
- 2.8 In principle, Motorsport Australia does not oppose undertaking direct verification with examining medical practitioners. However, we have discovered there are immense practical difficulties in obtaining timely responses from more than 2,000 community-based practitioners each year, many of whom operate within significant time constraints and competing professional obligations. Verification is not a matter that can be addressed simply by allocating additional administrative resources. In particular:
 - (a) some practitioners are unwilling to disclose information concerning patients without formal compulsory process;
 - (b) some practitioners require payment before responding to requests for confirmation or verification;
 - (c) practitioners can be difficult to contact directly without an appointment;
 - (d) Motorsport Australia understands that it has no mechanism by which it can compel practitioners to provide verification.
- 2.9 Instead, Motorsport Australia has implemented, and continues to implement, a range of alternative measures directed toward enhancing the integrity and effectiveness of the medical assessment process.

- 2.10 As noted by Ms Bornstein, Motorsport Australia requires licence holders to disclose any medical condition or change in circumstances that may affect their physical or mental capacity to participate safely in motorsport activities throughout the licence period. Motorsport Australia does not accept that this obligation involves an inappropriate shifting of responsibility to competitors. Rather, it forms part of a shared safety framework designed to protect competitors, officials, volunteers and members of the public. Motorsport Australia considers that the safe conduct of motorsport necessarily depends upon the active participation and cooperation of all stakeholders, including competitors, medical practitioners, officials, volunteers and the governing body itself.
- 2.11 Motorsport Australia relies upon applicants and licence holders to be frank and accurate in disclosing any medical condition or change in circumstances that may affect their capacity to participate safely in motorsport activities. Through its Medical Standards, assessment processes and ongoing disclosure requirements, Motorsport Australia seeks, so far as is reasonably practicable, to ensure that competitors granted licences are medically fit to compete, that risks arising from relevant medical conditions are identified and appropriately managed in the interests of participant and public safety, and that competitors are not knowingly permitted to place themselves at an increased risk of injury by participating in motorsport activities when they are medically unfit to do so.
- 2.12 If Motorsport Australia becomes aware that a competitor is suffering from a medical condition or injury which may render them unfit to participate, it will immediately suspend that competitor's licence pending the provision of medical clearance from an appropriately qualified medical practitioner. Information of this nature commonly comes to Motorsport Australia's attention through post-event reports prepared by the Chief Medical Officer, Delegate, Clerk of Course or Stewards, as well as through incident reporting processes. Motorsport Australia may also be notified by officials, volunteers, medical practitioners or competitors themselves pursuant to their ongoing disclosure obligations.
- 2.13 Upon receiving such information, Motorsport Australia promptly suspends the competitor's licence and issues written correspondence identifying the specific medical information, reports or other evidence required from an appropriately qualified medical practitioner before the licence may be reinstated.

3 Comments on the Findings generally

- 3.1 Motorsport Australia respectfully considers that it ought to have been afforded an opportunity to provide submissions in relation to the draft Findings and the recommendations directed to it prior to publication. This is particularly so given that the recommendations concerned matters that had previously been the subject of extensive internal review and consultation by Motorsport Australia.
- 3.2 While we are pleased Your Honour made no findings that Motorsport Australia's conduct caused or contributed to [REDACTED] death in any way, Motorsport Australia remains concerned that the Findings contain commentary which may be regarded as critical or adverse to its interests. Motorsport Australia prides itself on its longstanding commitment to participant safety and to the safe conduct of motorsport nationwide, recognising the inherent risks of the sport, as acknowledged in the Findings. Motorsport Australia has approached the notification of this issue as an opportunity to reflect

upon its processes, identify areas for improvement, and implement further enhancements where appropriate.

If you have any questions, please contact Gabriella Bornstein.

Kind regards

A handwritten signature in blue ink, appearing to be "G. Bornstein".

Motorsport Australia