

COMBAT SPORTS BILL 2008

Second Reading

The Hon. HENRY TSANG (Parliamentary Secretary) [10.16 p.m.], on behalf of the Hon. Ian Macdonald: I move:

That this bill be now read a second time.

I seek leave to have my second reading speech incorporated in *Hansard*.

Leave granted.

The Combat Sports Bill 2008 will establish a broader regulatory coverage of combat sports and will create a Combat Sports Authority to replace the existing Boxing Authority of New South Wales. The definitions of "combat sports" used in the new Act will extend the existing regulatory coverage of boxing, kickboxing and wrestling to include a range of other sports which have risen to prominence since the existing Boxing and Wrestling Control Act 1986 was introduced. These include sports with names like Muay Thai, mixed martial arts, and cage fighting. The advent of these sports, while they might not be to everyone's taste, has required a response to ensure that the competitors are not exposed to unnecessary risk.

Some of these sports have vague and ad hoc sets of rules, which present some concerns regarding governance of the sports, and any discipline which their associations exercise over the conduct of their contests. A significant change under the new legislation is the removal of the exclusion of women from competing in amateur and professional boxing and kickboxing in New South Wales. We are also increasing significantly the penalties applying to the conduct of illegal contests, that is, those operating without permits. At present some combat sports are simply not named in the existing legislation and accordingly cannot be regulated to ensure the maximum safety possible for the competitors.

In 1986 the Wran Government introduced the Boxing and Wrestling Control Act, in the process establishing a new approach to the regulation of those sports. This approach was aimed at addressing a number of significant issues of concern at that time. To address the health and safety needs of competitors, the Boxing and Wrestling Control Act of 1986 established the New South Wales Boxing Authority, with responsibilities including: supervising the sport, to ensure that boxers were properly medically supervised, both at contests and during intervening periods; and ensuring that all matches had a doctor in attendance and that promoters, managers, trainers, seconds and others were included within the coverage of the Act as registered "industry participants". The principles established in the Boxing and Wrestling Control Act 1986 will continue in the new Act. The seven members of the Boxing Authority have managed the sport of professional boxing very effectively. As part of their role, they attend the promotions, check the fitting of the gloves and ensure that all activities relating to the preparation of the boxers, including supervision of activities in the change rooms, are managed properly.

By capturing a range of other sports within the coverage of legislation, the New South Wales Government will be ensuring that those same safety standards are maintained across the combat sports industry. The sport of boxing includes as its primary activity, the directing of blows to the head of the opponent. Consequently, there has been a policy for over a decade in this State that children younger than 14 years cannot take part in competitive boxing matches. This policy reflects medical advice relating to the development of the brain in young people, and the need to protect young competitors. There has been disquiet among some members of the boxing industry regarding this policy. I, and my predecessors in the Sport and Recreation portfolio, as well as other Ministers and successive Premiers, have had representations made to us to remove the policy. I can state today that this policy will continue, and that appropriate age rules will be applied to other combat sports in which there is a significant factor of impacts to the head.

Another issue which has been contentious at times concerns the participation of women as competitors in boxing and kickboxing. In 1986, it was a matter of general public agreement that it was not appropriate for women to compete in these sports. Times have moved on and this position is seen as discriminatory and inconsistent with community attitudes and Government policy generally. The Government has had to consider the issues which would arise if we continued to exclude women from

the opportunity to compete in boxing and kickboxing. As women are already competing in some of the sports which will fall within the purview of this new legislation, it is appropriate to remove all of the gender based exclusions.

Recent events have highlighted the need for effective management of crowds at contests and for rules of conduct for the entourages that increasingly accompany competitors to the venues for combat sports. The Boxing Authority of New South Wales is currently considering those issues and the new authority, in partnership with NSW Police and the Department of Arts, Sport and Recreation, will have to address those issues as one of its first tasks.

Through the changes outlined in this legislation, the Combat Sports Authority will have increased powers in addressing a range of breaches. The new Authority may refer matters for prosecution where an offender is unregistered. It may also impose penalties on any registered combatants or industry participants who fail to fulfil their obligations to conduct themselves in a professional manner.

For some people currently involved in combat sports, the new legislation will represent a change in the way they operate. Previously, in some combat sports, there was no legislative requirement for registration, no insistence on proper matching of opponents, no need to ensure the attendance of a doctor at all promotion and no clear understanding of the responsibilities of officials and other participants at contests. This is not to say that the promoters of combat sports events have been operating irresponsibly, but they have previously operated outside the regulatory system and this must be addressed. The Department of the Arts, Sport and Recreation has initiated discussions with industry representatives, to advise them of the regulatory requirements and to assist them with the transition. This process will continue over the next 12 months, and they will be required to register as from the beginning of calendar year 2010. In the meantime, participants in the industry will be able to work toward fulfilling the requirement for first-aid training to negotiate with medical practitioners to provide the necessary supervision at contests and to develop a sound working relationship with the Combat Sports Authority.

A feature of this new legislation is to institute permanent registration of combat sport combatants and participants. This matter has been a longstanding concern of the Boxing Authority. This registration system will operate in a similar way to that in the greyhound racing legislation, by ensuring that no loopholes can be found by unscrupulous characters attempting to operate outside the system. I take this opportunity to express my appreciation to past and present members of the Boxing Authority of New South Wales for their professionalism and dedication to managing the sport. I hope that they will seek to continue their involvement in the new regulatory system; I can assure them that we will need their expertise as it develops.

Boxing is still the largest combat sport in Australia, in terms of numbers of registered combatants, frequency and geographic distribution of contests. New South Wales has the most boxing contests, nearly half the national total per annum. Our approach will continue to include ensuring the attendance of at least one authority official at each boxing contest. Where female combatants are involved, female officials will also be required.

Following passage of the legislation, the new Combat Sports Authority will be established, with nine members—an additional two over the number currently on the Boxing Authority. The membership of the authority will include at least two members drawn from combat sports outside the realm of boxing and, for the first time, will include female members.

I now turn to some of the transitional arrangements associated with these changes. The authority will continue to receive administrative support from the Department of the Arts, Sport and Recreation. Following passage of the legislation, the department will initiate recruitment and accreditation of officials, initially through a process of seeking expressions of interest. The Combat Sports Regulation will be developed, and will list those sports to be subject to the regulatory system, including sports in which there is currently no government regulation such as Muay Thai, cage fighting, extreme fighting, mixed martial arts and others.

For women currently involved in any form of combat sports, it removes a restriction on their activity, and they may then choose to compete in boxing or kickboxing. Women who are New South Wales residents and currently involved in interstate travel in order to compete in boxing and kickboxing will be able to register and compete in their home State. For women newly entering the industry, there will be a wider range of options for their involvement.

For the Combat Sports industry, an anomaly will be removed, whereby women are currently prevented from competing in boxing and kickboxing in New South Wales, whereas no government

regulation currently applies to their competing in other combat sports. Some combat sports will be subject to government regulation where none previously existed, there will be greater scrutiny of the conduct of those sports, and stronger requirements for supervision of medical issues and the conduct of promotions generally. Female officials will be identified, accredited and trained as necessary.

More facilities suitable for women will be required at venues, and only suitably-equipped venues will be permitted to stage events including female combatants. Some issues are expected to arise relating to the conduct of events, including the attire to be worn by women. This will be managed by including requirements consistent with international practice in the conditions of permits applying to such events.

The change in legislation will address a longstanding policy issue which has seen advocacy by a number of organisations including Women Sport and Recreation New South Wales and individuals including the former Federal Sex Discrimination Commissioner and State members of Parliament. This is important legislation that will bring New South Wales in line with the rest of the States and Territories. I commend the bill to the House.