

19/339 Minimum Age for Participation in Combat Sports Contests

Summary of Impacts
This regulation will have positive impacts on community and individual health due to the improvements to safety for children participating in combat sports contests. This has been balanced with careful consideration on the human rights impacts (limitations are considered reasonable), and the impact on small business, which may be both positive and negative.

Key to impacts: Red – negative, Blue - neutral and Green - positive.

Social

Community and Individual Health	<ul style="list-style-type: none"> While there are a range of physiological and psychological benefits to participating in combat sports, children have unique developmental features that make them more vulnerable to injury, particularly concussion. Young children are also less capable of understanding the injury risks associated with combative techniques. For this reason, placing a minimum age restriction on participation in combat sports contests is likely to reduce the risk of serious injury or fatality amongst children under the prescribed age, though this risk cannot be eliminated entirely (for example, where accidents occur or a child uses a prohibited technique).
Access to social networks and community activities	<ul style="list-style-type: none"> The restriction on participation of children in contests will have an impact on some community member's participation in combat sporting activities. It is important to note that this regulatory proposal will not restrict children's participation in school based sporting activities, or regular gym based sessions outside of the contest environment, including sparring and training, and therefore would not limit these social networks or activities. Children participating through a National Sporting Organisation will also not be affected.
Human Rights	<ul style="list-style-type: none"> Section 11(2) of the <i>Human Rights Act 2004</i> (HRA) states that: "every child has the right to the protection needed by the child because of being a child, without distinction or discrimination of any kind". This means that children deserve the protection of the law from things that may cause them harm. In considering this element, the age at which base restrictions are lifted (14 years) in the proposed option is based on the relative and average cognitive ability of children to grasp the concept of risk at certain ages, as well as children's brain development and the potential for recovery from head injuries, which are a high risk in combat sports. This regulation places limitations on S8, right to equality before the law. The importance of limiting children's right to equality before the law is done to limit the potential risk to children's health and safety by limiting the use of techniques that carry the greatest risk of injury to children, where medical literature notes the prolonged recovery compared to adults, and the ability to full appreciate the risks. The limitation does not completely preclude children from participating in combat sports contests, particularly where children participate through a National Sporting Organisation, and does not preclude their participation in training, fitness style activities or similar. The base restriction limits children's participation in activities where techniques are used that result in contact with the head, neck, spine or groin. With modified rules, children are still

	<p>able to participate. Exemptions may also apply upon application for non-National Sporting Organisation bodies.</p> <ul style="list-style-type: none"> • Limitations are placed on children under the age of 18 participating in registrable events, due to the nature of these commercial operations. This is comparable to restrictions in other jurisdictions for professional contests. • The limitation is therefore minimal.
Impacts on different age groups	<ul style="list-style-type: none"> • This regulation specifically targets children. It is designed this way due to children's development and medical evidence to suggest that recovery from injuries to the head is longer for children than for adults. • The regulation is also based on the established understanding in medical practice and common law of children's cognitive ability to appreciate risks.

Economic

Small Business Impact	<ul style="list-style-type: none"> • Local businesses operating in the combat sports sector may see an impact of the introduction of this regulation on their customer base. It is possible that some children and their parents will decide to stop participating in combat sports if they are unable to compete unrestricted in contests. • It is also possible that more parents will permit their children to participate in combat sports contests knowing that the industry is better regulated and consistent, placing their children's safety at the top of the agenda. In this instance, the regulation could potentially have a positive impact on small business.
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