

2 August 2023

Committee Secretary
Senate Standing Committee on Community Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary

Inquiry into concussions and repeated head trauma in contact sports

I set out below further information that might be of interest to the Committee.

1. 1994 NHMRC Head and Neck Injuries Report and 1995 Head and Neck Injuries in Football: Guidelines for Presentation and Management

I refer to the additional documents available on the Inquiry website, namely the 1994 NHMRC Head and Neck Injuries Report (with Appendices) ISBN 0 644 4211 6 ('1994 Report') and the 1995 Head and Neck Injuries in Football: Guidelines for Presentation and Management (ISBN 0 644 42932 1) ('1995 Guidelines'). I also refer to the NHMRC's letter dated 5 July 2023.

The Executive Summary in the 1994 Report (page xv, para 6) states that: '... Guidelines for the management of concussion are recommended (*italics added*) in the text and are again presented in Appendix A'. Appendix A (pp 106-122) contains several parts, including the recommended 'Concussion guidelines' and 'Concussion – notes for referees, umpires and coaches.' Appendix A incorporates these guidelines together with other information. In 1995, the NHMRC published the 1995 Guidelines under ISBN 0 644 42932 1. A rescinded copy is available on the NHMRC website.

The NHMRC's letter dated 5 July 2023 refers to the 2004 decision to rescind the 1994 Head and Neck Injuries in Football: Guidelines for Presentation and Management. I also refer to Agenda item No. 4.2 at the 154th session of the NHMRC Council held in Perth on 16/17 September 2004, rescinding the 1994 Head and Neck Injuries in Football: Guidelines for Presentation and Management. I have been unable to locate any standalone 1994 Guidelines other than those contained as part of Appendix A in the 1994 Report.

It would be beneficial to clarify whether the NHMRC issued standalone guidelines in 1994 (and, if so, the ISBN) or whether the NHMRC's letter (and Agenda item) was meant to refer to Appendix A of the 1994 Report. This clarification assists in resolving any confusion with regard to the dates of relevant documents and to ensure that the relevant documents were formally rescinded in 2004.

2. The 2003 Australian Law Reform Commission (ALRC) Recommendation

The 2003 Australian Law Reform Commission Report 'Essentially Yours: The Protection of Human Genetic Information in Australia (ALRC Report 96) examined genetics in sport as part of the Commission's broader inquiry into the use of genetic information. Chapter 38, Part 2 addresses genetic predisposition and injury susceptibility in sport and refers to brain injury in sport.

The ALRC report provides relevant background and made several recommendations. In particular, the ALRC recommended that the ASC should, in consultation with other government agencies and stakeholders, 'develop policies and guidelines for sports organisations and athletes on the use of genetic information concerning a predisposition to sport-related illness or injuries' (see Volume 2, Chapter 38, part 2, Recommendation 38-2).

I refer to the recent co-authored article in The Conversation led by Distinguished Professor Lyn Griffiths 'Genetics and concussion – why a minor knock can be devastating for some people'. This article highlights several areas for further consideration and asks whether contemporary attitudes towards genetic research might form part of any future recommendations in concussion and repeated head trauma in contact sports.

Yours faithfully

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