

# THE GREAT PUBLIC SCHOOLS' ASSOCIATION OF QUEENSLAND RUGBY UNION

## SERIOUS INJURIES REVIEW

### EXECUTIVE SUMMARY

Between 13 July and 4 August 2018, four young men engaged in rugby activities and attending GPS schools suffered serious spinal injuries. The four incidents, which resulted in these injuries, were unrelated and dissimilar. However, each of them involved fit young men engaged in the sport of rugby. Each incident is, to different degrees, a tragedy for the young men and their families. The young men are Oliver Beirhoff [18 years of age], James Kleidon [17], Connor Tweedy [16] and Alexander Clark [15].

The fact that four young rugby players suffered such injuries within a period of one month demands attention.

It is understandable and sensible that the GPS schools, Rugby Australia and the QRU resolved to review these incidents in order to assess whether there are lessons to be learned from which they may improve player safety in the future. To undertake that review, those bodies resolved to appoint a panel of five, including an independent chair and four experienced contributors to the game.

The *Serious Injury Review Panel* was appointed on 20 September 2018 to report, including with any recommendations for change, by 29 November 2018.

The Panel sought information and submissions from the four young men and their families and provided an invitation to each of the families to meet with the Panel. Submissions were also sought from each of the GPS schools, the QRU and Rugby AU. The Panel offered the schools an opportunity to attend and discuss the issues at hand and meetings took place.

The Panel undertook other investigations to properly assess the incidents, the hazards and the present state of knowledge for player safety as well as to consider and resolve upon steps that might be recommended in order to improve safety for GPS school boys in the future.

The Panel resolved upon making the following recommendations to the GPS schools:

- (a) together as one, consider and, where appropriate, change the way rugby is offered to the young men of the GPS schools so that "*best practice*" is followed as recommended by Rugby Australia and the QRU;
- (b) each school review the insurance maintained by them to cover the risk of the young men of the GPS schools suffering serious injury;

- (c) each school devise and resolve upon a protocol to follow should any other young man of the GPS schools suffer serious injury so that his family may be relieved of the administrative burdens involved while supporting their son through the tragedy.

## THE REPORT

### INTRODUCTION

1. Between 13 July and 4 August 2018, four serious spinal injuries were suffered from rugby activities being conducted in connection with The Great Public Schools' Association of Queensland ("GPS") rugby competition. The injuries were suffered in four unrelated incidents ("the Incidents") which are set out below.
2. The GPS, Queensland Rugby Union ("QRU") and Rugby Australia ("Rugby AU") resolved to appoint a panel, to be called the *Serious Injury Review Panel* ("the Panel"), to conduct a review of the Incidents in order to assess how these injuries occurred, whether there are any common themes and what, if any, changes ought to be made to improve player safety in the future.
3. The members of the Panel are James Bell QC (Chair), Dr Warren McDonald (Rugby AU Chief Medical Officer), Brian Short (GPS representative), Tim Horan AM and Anthony Mathison.
4. Under its Terms of Reference,<sup>1</sup> the Panel has been asked to:
  - (a) consider whether there are any common themes as to how the players came to be injured in the Incident; and
  - (b) recommend any necessary changes to improve player safety in future.
5. The Terms of Reference further set out the information concerning each of the Incidents which the Panel is to gather.

### THE INCIDENTS

#### *Incident 1*

6. On 13 July 2018, during a rugby training camp while attending Toowoomba Grammar School, Oliver Bierhoff, 18 years of age, was involved in 'a pick and drive drill' when his head went to ground after missing a contact shield and losing balance. His fall resulted in hyperflexion of his neck which caused serious spinal injury. The drill was being supervised by a qualified coach.
7. At the time of the incident, Oliver was 72kg and 180cm tall. He had been playing rugby for over nine years at school boy level. He had previously played at flanker and was in that position at the

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<sup>1</sup> See Annexure A hereto

time of the incident (although as we have noted, this incident occurred at training and not during match play).

8. Oliver had a relevant medical history in that he had suffered from 'stinger injuries' (also known as burner nerve pinch or brachial plexus injuries), experiencing tingling and burning down both arms one to three times during the past year.
9. In the season leading up to the incident, Oliver had been involved in pre-season training for 38 weeks and had played 10 rugby matches. He had received training from a qualified coach in tackling, scrummaging, rucking, maul and line out. In the course of a typical week during a season, he undertook four team training sessions and three individual training sessions. In a typical training session, he would undertake 10 to 14 scrum engagements.
10. After the incident, Oliver was attended by a first aider and a sports trainer (level 3), having first been attended upon by the coach on the pitch. He was assisted from the pitch by a paramedic and a hard collar; spinal board was used to place him in the ambulance. From the pitch, he was taken immediately to hospital.

### ***Incident 2***

11. The second incident occurred on 14 July 2018 during a First XV trial match between Brisbane Grammar School and Toowoomba Grammar School. James Kleidon, 17 years of age, suffered an injury to his cervical spine when a teammate attempted to '*clean out*' after James had been tackled by an opponent when carrying the ball. There was no dangerous play involved, and the game was being refereed by a qualified referee.
12. At the time of the incident, James was 83.5kgs and 186cm tall. He had been playing rugby for over nine years and was a registered player. His usual positions were lock (both left and right), flanker (both left and right) and number eight. He had been playing in the position of left lock (which he played at the time of the incident) for five years.
13. Immediately after the accident, a first aider and a physician attended upon James.

### ***Incident 3***

14. The third incident occurred on 21 July 2018 during a first round GPS competition Second XV game between St Joseph's Gregory Terrace and Brisbane Boys' College. Conor Tweedy (16 years of age) was playing tight head prop. In the first scrum of the match, players lost their footing and the scrum collapsed. The scrum was reset. The ball was fed into the scrum when the scrum collapsed for the

second time as a result of the players losing their feet. Conor suffered hyperflexion of his neck resulting in serious spinal damage. The Panel has viewed a film of the circumstances surrounding this incident which involves video of the scrum collapse.

15. The incident occurred in the first month of the rugby season and in the first quarter of the game. No dangerous play was involved. The game was being refereed by a qualified referee.
16. At the time of the incident, Conor was 90.5kgs and 187cm tall. He had no relevant medical history, had been playing rugby for approximately eight years and was a registered player. He had played in all positions in the forward pack. On the date of the incident he was playing in the position of tight head (although this was not his usual position in the forward pack).
17. Conor had undertaken 11 weeks of pre-season training and had played six rugby matches in 2018 prior to suffering the injury. He had received training from a qualified coach with instruction in tackling, scrum, rucking maul and line out. His training each week for rugby involved three sessions as well as two gym sessions per week. Leading up to the incident, he had engaged in five to nine scrum engagements at a typical practice session. Leading up to the accident, his training volume was normal as was its intensity. He occasionally (less than one session per month) undertook neck strengthening exercises.<sup>2</sup>
18. Immediately after the incident, Conor was attended upon by a physiotherapist, first aider and a medical practitioner (Dr Richard Brown – sports physician). Dr Brown and the paramedic removed Conor from the field and he was taken to hospital by ambulance.

#### ***Incident 4***

19. The fourth incident occurred on 4 August 2018 during a third round GPS competition 15B game between St Joseph's Nudgee College and Ipswich Grammar School. Alexander Clark (15 years of age) was injured after being tackled while placing the ball to score a try late in the match. As a result of the tackle he suffered hyperflexion of the neck resulting in serious spinal damage. There are differing accounts as to exactly how Alexander's neck was hyperflexed - the most consistent description was that while Alexander was engaged in placing the ball over the line for a try and in a sitting position, a cover tackle by two opponents "*came over the top of his head and landed down*

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<sup>2</sup> The training and physical preparation information for Conor has been drawn from the completion of the World Rugby Catastrophic Injury Report of the incident, which was compiled through a face-to-face meeting with the Headmaster, Director of Sport and Activity and Director of Rugby of St. Joseph's Gregory Terrace. This was also cross checked against the written submissions from St. Joseph's Gregory Terrace.

*onto his head causing flexion of his neck*".<sup>3</sup> The incident occurred in the first month of rugby matches in the GPS competition.

20. The incident did not involve dangerous play. A qualified referee was in charge of the game and the tackle abovementioned involved shoulder contact from the two cover defending tacklers.
21. At the time of the incident, Alexander was 64.5kgs and 178cm tall. He had no prior relevant medical condition. He had been playing rugby for approximately eight years and over the last four years had played fullback or wing where he was playing at the time of the incident.
22. Alexander had undertaken 10 weeks pre-training with two field training sessions and two gym sessions per week. He had undertaken regular neck strengthening at least once per week. Prior to the incident he had played five rugby matches in the season. His training was supervised by a qualified coach who had given instructions in tackling, rucking and in maul situations.
23. The first response was provided by first aid and a physician, Dr Rizzo. Alexander was removed from the pitch by Dr Rizzo and the first aid officer (who was on the scene) by means of a scoop stretcher and a soft collar. He was taken by ambulance directly to the hospital.

#### **COMMON THEMES FROM THE INCIDENTS**

24. The Terms of Reference require us to identify any common themes which might be drawn from these four incidents.
25. Each of the four young men involved in the Incidents had undergone a significant amount of preparation for rugby and they were all quite experienced at playing the game.
26. In each of the four incidents:
  - (a) there was an injury to a player's spine, in three of four cases following hyperflexion of the neck;
  - (b) each of the young men affected were engaged in rugby activities;
  - (c) the activity, drill or movement was one which is common in rugby games or rugby training;
  - (d) none of the incidents involved 'foul play' or any activity which might be considered to be outside the rules of the game.

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<sup>3</sup> See Dr Rizzo statement 4 August 2018

27. While each incident ultimately resulted in spinal injury, we do not consider that there is a common cause to all four injuries or a common theme across all four incidents which would explain how they occurred.

#### **GPS RUGBY AND PLAYER SAFETY STRATEGIES**

28. We now turn to discuss the structure of the GPS rugby competition, and how it addresses player safety.
29. The nine GPS schools are engaged in educating approximately 12,500 young men.<sup>4</sup> These schools offer 16 sporting activities (including rugby) to their students throughout the school year. For over 100 years, rugby has been played at each of the nine schools engaging in this competition. It was and is an important activity in the school sporting calendar. To this day, 'old boys' who have engaged in the sport encourage their sons to participate. The fathers of three of the young men mentioned in the Incidents indicated that they were not, even now, advocating for changes to the game. We are sure that they, in common with each of the GPS schools, recognize the benefits of rugby to the boys who participate including physical fitness and the camaraderie from playing a team sport. Beyond the GPS schools, rugby remains a fixture of school communities throughout Australia and the world.
30. The GPS rugby competition involves all nine schools in an eight round fixture held in term 3 of the school year. In addition, member schools organize interschool trials ahead of the season and also play against other non-GPS schools (such as Downlands College, Toowoomba) in fixtures in the bye week of the draw.
31. Each week of the season, approximately 4,500 players participate in the competition.
32. The competition is organized into teams by age and standard of the player. Within each school, teams are divided into the following age groups: under 11, under 12, under 13, under 14, under 15, under 16 and open. Each age group is divided by ability, with the best players in the A team (in the open year named the first 15), then the B (in the open year named the seconds), C and so on, depending on how many players there are in a particular age group within a school.
33. In the 2018 season (as in other seasons), player numbers from each school were not the same, ranging between 750 players at the school with the most players and 222 players at the school with the least. Clearly enough, some schools cannot offer as many teams as others in an age group, or

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<sup>4</sup> Noting that Brisbane State High School is co-educational.

may not even be able to field the same number of teams in every age group. By way of example, in the open competition in 2018 one school had just three teams while another had seven teams. It follows that many players in the last mentioned school do not get a game against each of the other schools. As such, lower graded teams in larger schools will either have repeated fixtures against other GPS schools, play more matches against non-GPS schools or may simply have fewer matches in the course of a season.

34. Each school organizes a comprehensive pre-season training and player safety program. Pre-season training is offered in term 2. Some schools continue training over the three week holiday period between terms 2 and 3. A number of senior teachers of rugby expressed the view that the timing of the break is not ideal, given that players can expect to lose strength, fitness and technical skills if these are not maintained over the holiday period.
35. Some players, particularly in lower ability teams (i.e. in teams graded C or below) do not engage in the pre-season training program at all but come along to their first training session for the year in the week leading up to the first game. More talented players may also be engaged in another activity in term 2 that prevents their participation in the full pre-season training.
36. The manner in which the game is played also differs as between different grades of ability. By way of example, the Panel was informed that other than in the top two teams in each age group, many games do not involve pushing in scrums. Serious competition in scrums was evident only in the A and B level of competition. However, there was no rule in place to guarantee that practice. Often it was left to the directors of rugby for the two schools involved or the referee of the game to regulate the scrum.
37. Rugby AU has, in the past, provided some direction to the schools as to the methods of training the players to enhance safety in playing the game. A series of drills and exercises, to be used by coaches in warm-up and preparation to play, has been distributed to each of the GPS schools: see <http://nswarratahs.com.au/warratahs/prep-2-perform>.
38. Coaches for all teams are advised to spend time on "*safety and contact*" involving teaching the appropriate tackle techniques including revision drill, safe lifting for line out drill, safe clear out and safe scrummaging engagement.
39. Coaches have been requested by schools to assess the competency of props to ensure they demonstrate safe scrummaging technique using specialist forward coaches to review technique.



40. In 2018, GPS Rugby implemented the new Rugby AU "*size for age guidelines*" which involves moving physically bigger students up an age group while also moving smaller boys down an age group. The objective is to even the competition and thereby enhance safety. The information given to the Panel by Rugby AU indicates that in the 2018 season (the first since the introduction of the guidelines to the GPS competition) only five players were moved to a higher age grade and one to a lower age grade. We are informed that in the club competition for young men of the same age (which does not involve the GPS schools) the number moved was much higher in that same season.
41. The Panel has been informed that GPS Rugby encourages the use of the Rugby AU player, match official and coach registration and competition management database named *Rugby Explorer*.
42. Over the last five years, the administration regarding the safety and induction of outside coaches has increased at all schools. At each of the schools, there are a number of highly qualified and specialised technical rugby coaches who mentor the development of junior coaches, referees and other participants of the game.
43. Schools also cooperate to improve player safety through the *GPS Rugby Subcommittee* (chaired by Mr Bryan Hain), made up of the Directors of Rugby from each of the schools. They have indicated (through Mr Hain) that the subcommittee now seeks to make the competition even so as to avoid an imbalance between teams. Mr Hain has assured the Panel that the members of the subcommittee are at one in seeking to achieve this objective. Preventing games between unbalanced teams is one means by which the schools are seeking to improve player safety. Further, Mr Hain tells us that the GPS competition now involves close cooperation between each school's Directors of Rugby. Mr Hain is also involved as a member of the *Rugby AU National School Strategy Group ("the NSS")* and has been communicating the recommendations of the NSS to the schools.

#### **RUGBY AU PROGRAMS AND THEIR APPLICATION AT GPS SCHOOLS**

44. Rugby AU operates two relevant programs, being the NSS and 'Smart Rugby'.
45. The *NSS* was formed, at the national level, in June 2015 with a key agenda to address safety concerns. One of its streams of work is to develop a targeted campaign for teachers, parents and students based upon research into the playing of rugby. This stream is tasked to ensure appropriate steps are taken by clubs and schools to balance the competition, making rugby accessible and fun while also developing talented players. The National Schools Strategic Plan aims to substantially change the trajectory for rugby in schools and revitalise the game by enhancing safety through good levels of even competition.

46. Paul McLean, MBE, a director of Rugby AU, is chair of the NSS and he made a contribution to the discussion with the Panel on 27 November 2018. He convinced us that the schools should be encouraged to change the regulation of GPS rugby if that was seen as appropriate to enhance safety.
47. Smart Rugby is Rugby AU's "*Work, Health and Safety*" program. It details the minimum requirement for every coach and referee participating in rugby where there is a tackling component involved in the competition. Smart Rugby is now mandatory in club rugby and requires re-accreditation every two years through online course completion via the Rugby Learning Centre. The Smart Rugby policy requires, as a minimum, that every coach, referee and coaching participant in rugby to hold a current Smart Rugby accreditation. There are no exceptions.
48. Smart Rugby can be accessed either online or by face-to-face attendance at:
  - (a) Foundation Course;
  - (b) Refereeing Kids Rugby Course.
49. Re-accreditation to satisfy Smart Rugby can be gained online only. There is currently no face-to-face Smart Rugby re-accreditation.
50. Since the introduction of the Smart Rugby program in 2005, the rates of catastrophic injuries in club rugby have declined significantly. The number of claims made by players of the game on the Rugby AU Sports Accident Insurance Policy in the period 2011 to 2014 was just one third of the number of claims in the period 2003 to 2006 and one half of the number of claims in the period 2007 to 2010. While Smart Rugby continued to evolve and reach over 10,000 accreditations to coaches, match officials and administrators in Club competitions, there were no catastrophic cervical injuries in 2016-17 and 2017-18 even though 2015 saw three such injuries occur in a cluster as happened by the Incidents in the GPS competition in 2018.
51. The Panel was informed that a majority of players, by their final year of school, had progressed through "*Smart Rugby*" programs. They progressed through six to eight years of player development programs emphasizing technique. Many of the players have also been part of the club rugby competition and thereby participated in safety programs on offer in that competition.

#### **THE INVESTIGATION BY THE PANEL**

52. The Panel invited submissions from each of the players who was injured in the Incidents and their families. Submissions were also invited from each of the schools involved in the GPS competition,

the QRU and Rugby AU. Submissions were received from the families of Oliver Bierhoff, Connor Tweedy and Alexander Clark, St Joseph's Gregory Terrace, St Joseph's Nudgee College, as well as a joint submission from Rugby AU and the QRU. Copies of those submissions are annexed and marked "B".

53. Further, the Panel provided the opportunity to each player and his family, and each GPS school to meet with the Panel to provide any further information relevant to the Terms of Reference. Those meetings took place on Wednesday, 7 November 2018 and the attendances are noted in the Minutes, copies of which are marked "C" and annexed hereto. Annexed to the Minutes is the invitation provided to each of the players (and their families) and to each of the schools.
54. The Chair held a meeting with Bryan Hain, as the Chair of the GPS Rugby Subcommittee. The Minutes of that meeting are attached and marked "D".
55. Having gathered the above information,<sup>5</sup> undertaken the above discussions<sup>6</sup> and considered published literature on the topic of serious injuries at the school boy level, the Panel saw it as appropriate<sup>7</sup> to seek from Rugby AU and the QRU a submission as to what those leading administration bodies of the sport in this country consider as *the best practice*<sup>8</sup> to minimize the risk of exposure to injury, indeed serious injuries, when school boys are engaged in the sport of rugby. A submission was received on 22 November and a copy is annexed hereto and marked "E". As part of that submission, the Panel received a first draft of an indicative implementation plan for the schools if the Panel did recommend its implementation.
56. It seemed sensible to ask these peak bodies of the sport to define best practice for the safe engagement in the sport for these school boys. We were assured that they have engaged in a good deal of research, including surveys as to how safe rugby is being practiced overseas.
57. As Rugby AU and the QRU now have systems in place which provide protocols for best practice, it seems to the members of the Panel straightforward to recommend that the nine schools work together, with Rugby AU and the QRU (who have indicated their willingness to participate) to

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<sup>5</sup> See paragraph 5 of the Terms of Reference

<sup>6</sup> See paragraph 7 of the Terms of Reference

<sup>7</sup> See Schedule E detailing other investigations undertaken by the Panel

<sup>8</sup> A **best practice** is intended to mean the regulation of all the activities involved in training and playing of rugby that is generally accepted as superior to any alternative ways of engaging in the game because it produces the best results to minimize injury (including serious injury to the spine)

develop a uniform approach to ensure that, in all respects, best practice is being followed across all aspects of rugby activities offered at all the schools.

58. Thereafter, a further meeting was held with senior representatives of each of the GPS schools<sup>9</sup> on 27 November 2018 to further discuss potential changes in the way the GPS rugby competition is regulated. This meeting was called to gain a more detailed understanding of what has been done in the competition with respect to safety. The Panel were also interested to learn more about the present plans of the GPS schools. Minutes of that meeting are attached and marked "F".
59. It is important to record that the GPS schools already had sensible safeguards in place prior to the Incidents. However, the opportunity now presents itself for the schools to move forward together to offer a uniform framework for the protection of their players in the future. Representatives of the schools were enthusiastic about making appropriate changes together, if that was the recommendation of the Panel for 2019 and beyond.
60. As is quite obvious best practice now on offer in Australia for the 2019 season is the focus of the Terms of Reference.
61. As a consequence, the Panel resolved to recommend that the GPS schools now use their best endeavours to progressively resolve upon appropriate changes to the way rugby is offered to all their students in the future by reference to the framework articulated by Rugby AU and the QRU.
62. We will seek to define, at least in broad terms some aspects of best practice under the next heading.
63. However, it is important to record that it is now for the schools together to resolve upon changes, if any, that are to be made making their assessment of the appropriate framework for the GPS competition bearing in mind the safe rugby practices advanced by Rugby AU and the QRU. Once resolved upon, each school should engage in an audit of their present program in order to implement the new framework.
64. It is appreciated that a new level of cooperation between the nine schools will now be required to achieve best practice for 2019 and beyond.
65. No one is in any doubt that a substantial amount of administration will be required to implement this review and to resolve upon change. Each of the schools offer a different rugby program and they allocate a different level of resources to their rugby program; this point of difference is

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<sup>9</sup> Brisbane State High School representation was not present for this meeting even though the representatives of that school attended and make a helpful contribution at the earlier meeting; all other schools were present

significant in order to properly address the capacity for the progress of all the schools to make change. Rugby AU and the QRU have indicated that they will work with the schools to help facilitate this audit and if necessary assist in the implementation of any changes.

66. Best practice will continue to evolve into the future, as is to be expected with all safety precautions and it should be an ongoing discussion involving all the GPS schools before each rugby season commences. It goes without saying that, as to safety, new developments will cause best practice to develop and change for the seasons in the future.
67. Because submissions were made to the Panel by one of the families impacted by one of the Incidents, the Panel recommends that two further matters be considered by each of the schools so that they are prepared to respond appropriately should a tragedy of a like nature ever occur in the future.
68. Firstly, each school should review the insurance, which it maintains, to cover the risk of loss which may be suffered by a student of the school resulting from serious injury. This recommendation is not meant to indicate that any school is not maintaining adequate or appropriate insurance.
69. Secondly, each school prepare a response or at least review the response already prepared to assist the family confronting such a tragedy with matters of administration when they are seeking to focus all of their attention on emotional support for their son.
70. These two recommendations will be developed briefly below under the heading: The Response to a Serious Injury.

## **THE BEST PRACTICE FOR SAFE RUGBY**

### ***Introduction***

71. Rugby AU and the QRU have formulated a framework for best practice for school boys to participate in safe rugby. In this endeavor, they have had regard to:
  - (a) World Rugby laws of the game, guidelines, programs and policy;
  - (b) programs implemented in other unions, eg. New Zealand, France and England;
  - (c) research conducted by Rugby AU and recommendations from the National Safety Committee into policy and procedure; and
  - (d) research from Australian and overseas tertiary institutions and research bodies.

72. Firstly, the Rugby Australia Safety Policy, formulated by Rugby AU, is aimed at ensuring that Rugby is as safe as it practically can be and is offered to ensure that it is enjoyed by all its participants. By acceptance of this policy, the primary consideration in all participation decisions is the safety of all participants. This requirement overrides all others.
73. Secondly, aligned closely to this policy is the Rugby Australia Participation Policy. That policy provides that Rugby should be safe, inclusive and fair and that all endeavours must be made to ensure that only those rugby participants with broadly compatible physical development, ability and experience play with and against each other.
74. Rugby AU and the QRU have confirmed that research and experience (here and overseas) has demonstrated that having a framework in place produces the best results for the safe participation in rugby. Their proposed framework, in the submission received by the Panel, is designed for use in schools as well as club rugby for players under 18 years of age.
75. Over time, World Rugby, Rugby AU, the QRU and other bodies update their best practice policies and procedures based upon current research, analysis and experience. For example, as a result of research around concussion, in 2017 World Rugby amended the tackle law to bring the height of the tackle down in order to protect the tackler and ball carrier from head clashes. Much data was collected before the changes were made which indicated that it was the tackler that was at most risk.
76. The framework, which has been formulated, is made up of the following parts:
  - (a) The regulatory framework involving rugby Law, rules, codes, policies and procedures;
  - (b) Safe spaces and venues involving the facilities, grounds and match day preparations;
  - (c) Training, education and accreditation for key personnel delivering rugby;
  - (d) Information systems for managing safety involving player, coach and official information management;
  - (e) safety training for coaches delivering rugby namely coach development and education;
  - (f) Safe practices for match officials or referee development and education;
  - (g) Assessing players for critical skills and competencies that impact safety: player assessment;
  - (h) Safe play through rugby readiness called rugby programming;

(i) Planning, timing and structuring games to maximise safety or competition structure and draw;

(j) Standards for first aid care and medical response.

77. Each of these areas was expanded upon in the attached submission to identify the detail of the framework to be considered. However, it is not necessary to record the detail for each part in this report.

78. It is sufficient that the Panel recommends that the schools consider certain parts of the framework as a matter of priority. In particular, we consider that aspects of the framework may require some changes of substance to the way rugby activities have been offered in the past. We discuss those changes below.

***Training, education and accreditation for key personnel delivering rugby***

79. First, all personnel involved in the delivery of safe rugby are required to have undergone education and training and to have a current accreditation. Rugby AU regularly review the content to ensure that it is up-to-date with the standards of best practice.

80. These standards (in particular the implementation of Smart Rugby) are significant drivers in the fall of catastrophic injury rates since 2005.

81. In this regard, the Panel considers the accreditation for coaches is an important step to be considered as a priority. Again, it is understood that many coaches offer their time and energy for little more than love of the game and maybe their old school. This is admirable. Also, some of the schools who offer the program to a large number of young men will have many coaches. These factors make the education, at least at the start, challenging. Yet, as safe rugby is essential, those coaches of all people will (we hope) understand the importance of their education.

***Player Assessment: assessing players for critical skills and competencies that impact safety***

82. Second, best practice player assessment procedures bring together research and programs from tertiary institutions, Rugby AU strength and conditioning expertise as well as best practices from other Unions throughout the world.

83. In this regard, the idea of a "Front Row Passport" is proposed as a requirement for all games where pushing is to occur in scrums. This would need to be developed, at least in a pilot program, prior to the 2019 season. We are told that it is based on the French system which has been shown to reduce

cervical injuries in scrums in France over a decade of operation.<sup>10</sup> The requirements to obtain the passport should be reviewed by the schools in consultation with Rugby AU and the QRU.

84. Also, participation by all players in the pre- season training program, already offered by the schools, is also an important ingredient for consideration.
85. Of course, there are many other aspects of player assessment which schools should consider; they are contained in the submission attached.

***Competition Structure and Draw: planning, timing and structuring games to maximise safety***

86. Third, planning the timing, structure and nature of the draw will assist in ensuring that players and teams are physically prepared for the rugby competition. This is an important factor in creating best practice and a safe rugby experience. Consideration of these factors also ensure that the Rugby AU Participation Policy objectives are achieved.
87. They involve players with similar physical ability, skill and/or experience playing with and against each other to enhance safety for all participants of the sport at the GPS schools in 2019 and beyond.
88. Indeed we are told that the GPS Rugby Subcommittee is already in the process of developing an equalisation program for the competition. In general terms, the Chair (Mr Hain) explained the program this way: in order to further engage in the Rugby AU policy already adopted by the schools, the ‘size for age guidelines’, it has been contemplated that the schools would seek to grade their players in accordance with that policy such that the most physically developed players with strong skills would be placed up one or two age grades and the least developed with lesser skills would be placed down. Thereby, the safety of players will be enhanced as they are playing against boys of a similar physical development and ability. Further, the Subcommittee envisaged that for each age grade, there would be an audit of these placements by a day of play before the season commenced involving short games between teams in order to identify that like would play like. Representatives of Rugby AU and or the QRU will assist with the independent assessment in consultation with the coaches of all the teams in the age group in order to judge who should be moved.
89. Again, there is much more to the discussion of this part of the framework in the Rugby AU submission which we commend to the schools.

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<sup>10</sup> Impact of the national prevention policy and scrum law changes on the incidence of rugby-related catastrophic cervical spine injuries in French Rugby Union



***First Aid and Medical: standards for first aid care and medical response***

90. Fourth, the first aid and medical guidelines and procedures in the framework comply with World Rugby's First Aid policies and guidelines and are regularly reviewed by the Rugby AU Chief Medical Officer.
91. These ensure that, in the event of an injury the First Aid care and medical response is appropriate.
92. It will give confidence to all participants of the game to know that wherever they play in the GPS competition, these guidelines are being complied with and that first responders offer the same high standards at all grounds. Consideration might be given by all schools to undertaking an audit of their capabilities in this regard.
93. It must be said that the GPS schools already offer a very high standard in this area, as is demonstrated by the events which occurred in each of the Incidents abovementioned. While there was a delay in responding to the incident involving Alexander Clark, this seems to have been due to the late arrival of ambulance rather than the failure to any on-field responders. We note in this respect that the requirements in this part would ensure that access to each oval was well rehearsed such that entry to the ground was efficient and one person was in charge of the communications.

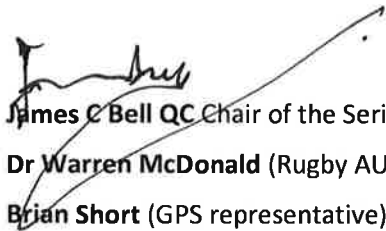
**THE RESPONSE TO A SERIOUS INJURY**

94. The Panel is confident that each GPS school maintains its own accident insurance in order to cover for injuries suffered at school including those suffered in rugby.
95. Hence, the Toowoomba Grammar players involved in Incidents 1 and 2 would be covered under a different policy to the players involved in the other two Incidents, namely 3 and 4. This is generally because the school insurance in each case covers students for all manner of activities, not just rugby.
96. Having said that, from what we have learned from the schools, their capital benefits are similar to the Rugby AU policy which covers players who are engaged in club rugby (as opposed to GPS rugby) which provides a *benefit for Permanent Paraplegia/Quadriplegia of \$750,000*.
97. As mentioned earlier, the Panel recommend that each of the schools review the accident insurance in place to cover these serious injuries so that a sensible response is able to be made to any student who suffers such an injury.
98. Further, one father, whose son was involved in one of the Incidents, suggested that the administrative difficulties encountered by a family in these circumstances could be streamlined by

each school addressing in advance procedure which ought to be followed by the school when a boy suffers a serious injury. His point is that when the event occurs, the role for the family is to support their son emotionally and to expect them to deal with complex issues associated with insurance claims and other issues, such as accommodation close to the hospital and other matters is too much to ask of them.

99. The school should rehearse the scenario in order to put in place a protocol so that, for all concerned, the steps are transparent and straight forward for families in crisis.
100. No more need be said at this time, as it is for each school to address this question so that they are prepared to offer the best possible support to a family should an injury of a serious nature occur again in the future whatever the sport or activity.
101. Again, from this recommendation no one should infer that the Panel is suggesting that a school did not respond well; indeed, the families have indicated quite the opposite.

**Dated:** 29 November 2018



**James C Bell** QC Chair of the Serious Injury Review Panel for:

**Dr Warren McDonald** (Rugby AU Chief Medical Officer)

**Brian Short** (GPS representative)

**Tim Horan** AM

**Anthony Mathison**