

Professor Allyson Pollock,
Professor of Public Health Research and Policy
Queen Mary University of London
Mile End Road
London E1 4NS
United Kingdom

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Re: Preventing Injuries in Children Playing School Rugby

Dear Professor Pollock,

I am writing to you in response to the open letter sent to my Office by the Sport Collision Injury Collective in relation to the risk of injury to children posed by rugby.

My role as Ombudsman for Children is to protect the rights and welfare of children under 18 living in Ireland. Your letter has raised some concerns about the safety of children and young people involved in rugby and, specifically, the potential consequences for children and young people of certain injuries that may occur through their participation in the sport.

According to article 19 of the UNCRC, children have a right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation. However, in relation to youth sport, it is important not to take a purely protection based approach as this risks disempowering young people. It is therefore important to take a protection and rights promotion approach.

It is important also, to highlight to undoubted benefits of participation in sport for children, particularly in relation to health and wellbeing, social inclusion, education and personal and social development. Participation in sport is considered a significant component of the right to play in accordance with Article 31 of the UNCRC.

From my point of view I need to indicate the lens through which we assess this issue using a children's rights approach. A key principle of the Convention is that the best interests of the child should be a primary consideration in all actions and decisions affecting the child, both in the public and private sphere.

The UN Committee on the Rights of the Child has given guidance on making an assessment and determination of a child's best interests. This process must facilitate the child's right to express his or her views freely and due weight must be given to those views. The evolving capacities of the child must be taken into consideration when the child's best interests and right to be heard are at stake. The UN Committee on the Rights of the Child has stated that the more the child knows, has experienced and understands, the more the parent, legal guardian or other persons legally responsible for him or her have to transform direction and guidance into reminders and advice, and later to reach a level where they can exchange on an equal footing. In this regard, parents and children should be fully educated of the risk of injury involved in playing rugby so that a truly educated decision can be made by both the child and parent about participation.

I have recently met with the IRFU to enquire about how they are responding to the risks of injury posed to children playing rugby. I note that in Ireland, participation in rugby in schools is not a compulsory component of the school curriculum as laid down by the Department of Education and Skills. I also note that the IRFU report that primary school aged children in Ireland follow mini-rugby regulations where tackling is introduced on a phased basis. Young players begin to learn rugby with 7-a-side games of short duration and with limited contact. The numbers playing, the length of time games are played, and the level of contact involved increases as the child gets older. The IRFU report that they have developed training programmes for coaches which are specific to the age group which coaches will be teaching. They report that these programmes include teaching the children tackle techniques which are designed to reduce the likelihood of injury.

In relation to the issue of concussion, the IRFU state that they have developed detailed advice around the risk of concussion injury with guidelines for children, their parents and coaches in relation to safety protocols where there is a risk of suspected concussion. They also report that they are currently rolling out online concussion awareness training for coaches and concussion workshops for children and their parents. Further, they state that referees are monitored to ensure that they enforce the strict return to play policies where there has been a suspected concussion. In relation to injuries, clubs and schools have a self-reporting process and this information is collected centrally by the IRFU.

At a government level, it would be useful to develop a system of reporting sports injuries across all sports so that information can be gathered in relation to how children are getting injured in sports played at school, including rugby.

It is important that a responsible approach is taken to reduce the risk of injury in sports. Government should ensure that concussion policies are implemented within schools and that the risks involved are well communicated to students, parents and staff. Concussion management policies should also include measures of caution to be taken in the classroom following a suspected concussion to ensure that cognitive rest is enforced following a suspected concussion in rugby or in any sport. It is also important to monitor the longer term consequences of how children are affected by any serious injuries they receive during sport, both in schools and in clubs, particularly in terms of recovery time and any adverse effects suffered from concussion or other serious injuries.



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I have written to the Minister for Education and Skills and the Minister for Transport, Tourism and Sport and the Minister for Health to make recommendations in this regard.

Kind regards,

Dr. Niall Muldoon
Ombudsman for Children