

# Negligence law in high school sports research paper

[Sociology](#), [Violence](#)



Black's Dictionary (1990) defines gross negligence as the intentional failure to manifest or perform a duty in a reckless manner, with a lot of disregards to the underlying consequences as effects to another party. It is a situation in which the actor intentionally plans and/or fails to do an act that is his duty to another. Such act can lead to a bodily harm. In a recap of events that unfolded hence calling for this case, one of my participants who is the plaintiff in this case, Mr. Edison Derwood had been injured during a training session. A medical report upon examination reveals that the player suffered from a cruciate ligament injury. This could result to permanent disability to his right knee. According to the team physician, the player will be out of the team for four months (Black's Law Dictionary 10th ed, 2014). The injury is not only a blow to my team; it is also a blow on the player's side since he will not attend to his academics normally. The case presented before the court, therefore, is about who breached his duty, which eventually resulted into the injury. As a coach, am I supposed to be blamed for the injury?

However, for the past few weeks I have been in contact with Mr. Derwood, I have never received such news that my participant has been suffering from any injury. It was until late last week when the information reached my desk. The physician reported that Mr. Derwood was complaining of acute aching on his right knee. I hereby say that as a first party in this case, I stand to defend myself and say that the injury wasn't as a result of my negligence. The participant didn't speak of it on time (van der Smissen, 1990). In a section of the same chapter 2. 1, the supervisory personnel is liable for his/her negligence, but not liable to the subordinates' negligence. This however depends on availability of immunity of the supervisor. The section defines

the supervisor's duties as; offering direct service in a professional manner and; mitigate dangerous factors and equipment which may jeopardize the safety of the participant (van der Smissen, 1990). In fulfillment of these roles, I have done my best in service to the participants. Upon close evaluation, you will clearly find that the injury was not caused by any of the available equipment at the court. So by no chance am I supposed to be liable.

The second party who should be held liable is the participant himself. Should there be an absent of immunity, the participant should be fully liable for his outright conduct of negligence (van der Smissen, 1990). The book states that the participant should take full responsibility for the negligence. Under the liability requirement, the defendant must have not complied with his duty to the plaintiff. Therefore, under the proximate cause of the injury, Mr. Derwood should be liable for his injury, which I can clearly state that was due to his profound negligence and lack of care while practicing. In Black's (1990) words, liability is the act of omission or violation of a moral or legal duty. Moreover, there are three chief questions that can be used to establish if there has been a breach of duty. The first question is; what are the types of risks? While answering this question in an attempt of validating the breach, the risks are first categorized as; inherent risks, risks as a result of ordinary negligence and; aggravated negligence.

Upon close analysis of the plaintiff's counts against me, he says that I failed to supervise carefully and direct him. He also claims that I have been hard and negligent on him during training. I hereby strongly refute these claims because first; as much as he is blaming me for the injury, to some extent I count it upon his ordinary negligence. He felt a mild pain in his right knee,

but instead of reporting to the physician on time, Mr. Derwood went ahead to train on a paining knee, only to come and blame it on me. Therefore, his mere negligence is the cause of injury.

## **Reference**

Van der Smissen, B. (1990). Legal liability and risk management practices for public and private entities. Cincinnati, OH: Anderson Publishing. Reprinted with permission by M. Sutcliffe, 1996, Teaching Elementary Physical Education 7(2).

Black's Law Dictionary 10th ed. (West Group, 2014), Bryan A. Garner, editor, ISBN 978-0-314-61300-4