

Law Quiz No 2 – Negligence



1. What actually happened to poor old **Donohue** in the famous civil law case **Donohue v Stevenson 1932**?

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2. In the case **Donohue v Stevenson 1932**, how did the judge define “neighbour”. Fill in the missing words:

Persons who are so _____ (7 letter word) and _____ (8 letter word) affected by my act that I ought reasonably to have them into contemplation.

3. Define the term “**negligence**”?

_____ (7 letter word) that falls below the standard regarded as _____ (6 letter word) and _____ (9 letter word) in a given community.

4. What three things must be established for a court action for **negligence** to be successful?

- A _____ OF _____ WAS OWED
- THERE WAS A B _____ H OF THE _____ OF _____
- AN _____ RESULTED

5. Which of the following is the best explanation of the **test of reasonableness** in cases of negligence.

- a) Was it reasonable to assume that the defendant should have foreseen that his/her actions would have resulted in injury?
- b) Was it reasonable that the plaintiff should have known there were inherent risks in the activity
- c) Was it reasonable to assume that the defendant had no intention of causing harm
- d) Was it reasonable that the defendant’s actions were not the cause of the plaintiff’s injuries?

6. What are the four types of **risk management** response

RISK T _____

RISK R _____ N

RISK A _____

RISK C _____

7. What is the **type of insurance cover** appropriate to Coaches that protects against being sued for malpractice?

P _ _ F _ _ _ _ _ N _ _ I _ _ _ _ _ _ _ Y

8. What was the very important (*non-rugby*) principle with respect to safety that came out of the case of *Watson v Haines* (1987) where Watson was a schoolboy who broke his neck in a game of rugby.

For schools and organisations providing sport and recreation activities, the duty of care extends to **not** withholding I _ _ _ _ _ _ _ _ N (11 letter word) that may help prevent injury.

9. A dog digs a hole in a football pitch at 6:00 pm on Friday night and at 9:30 am the following morning a player breaks a leg as a result of stepping in the hole at full speed. Make a list of the parties that the player could potentially sue to obtain compensation for his injury.

10. What must a coach do to reduce the risk of injury to participants in their care. Fill in the blanks

- Not using _ _ _ _ _ _ _ _ (9 letter word) techniques or ill-advised training methods
- Check _ _ _ _ _ _ _ _ (9 letter word)
- Remove _ _ _ _ _ _ (7 letter word) players
- Not encourage _ _ _ _ _ _ _ _ (10 letter word)
- Not to promote drugs in sport, indiscriminate use of _ _ _ _ (4 letter word) _ _ _ _ _ _ (7 letter word).