



Playground Injuries

When a 13 year old boy accidentally ran into a dinner lady in the playground at school he probably did not realise the matter would end up before the courts. In a recent decision the courts held there was no liability.

Edward Conway a partner in Chattertons Solicitors says "This teenager was held not to be "negligent". The court decided that sometimes pure accidents happen for which no one is to blame. The boy was playing tag. Running was not against the school rules. The Court of Appeal said the test was what was objectively expected from a child that age, saying "A 13-year-old boy will not, however, be liable simply because in playing around on the playground he foresees that in the way the games are played there is risk of injury of some kind.... "I, of course, feel sympathy for the appellant, but it seems to me that the judge's assessment of this case was clearly right. Thirteen-year-old boys will be 13-year-old boys who will play tag. They will run backwards and they will taunt each other. If that is what they are doing and they are not breaking any rules they should not be held liable in negligence. Parents and schools are there to control children and it would be a retrograde step to visit liability on a 13-year-old for simply playing a game in the area where he was allowed to do so."

If you have suffered a personal injury at work or in an accident, contact Edward on 01205 310025 for more information about how we can help you.
