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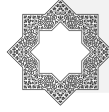


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Legal Policy Application in Sports Risk Management

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Legal Policy Application in Sports Risk Management

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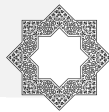
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ملخص البحث:

في البيئة الرياضية الحديثة، تتعرض الرياضة لمخاطر معقدة تتطلب استراتيجيات فعّالة لإدارتها، وتلعب السياسات القانونية دورًا حاسمًا في تحقيق التوازن بين قبول المخاطر وضمان السلامة في الرياضة، يسلط هذا المقال الضوء على أهمية الامتثال للأطر القانونية للتخفيف من المخاطر وضمان النجاح على المدى الطويل، من خلال منهج وصفي تحليلي، تستكشف الدراسة تطبيق السياسات القانونية في إدارة المخاطر الرياضية، مع التركيز على تحقيق توازن مثالي بين المخاطر والسلامة. يمكن أن يؤدي عدم الامتثال لهذه السياسات إلى تعريض سمعة الفريق وحافة تنافسية للخطر، تناولت الدراسة السؤال المركزي حول كيفية تنفيذ الفرق الرياضية للسياسات القانونية بشكل فعّال لإدارة المخاطر مع تحقيق توازن بين قبول المخاطر والسلامة، وأكدت أهمية توفير التعليم للرياضيين والمسؤولين حول الجوانب القانونية لقبول المخاطر ووضع سياسات وإجراءات واضحة للتعامل مع الإصابات، التعاون بين الكيانات الرياضية والمؤسسات القانونية أمر أساسي لتنفيذ فعّال للقوانين واللوائح، وضمان حقوق وسلامة جميع أصحاب المصلحة، وتوصلت المقالة إلى أنه يمكن للرياضة أن تزدهر بشكل مستدام وتحافظ على نزاهتها ومكانتها في المجتمع من خلال اعتماد ممارسات إدارة المخاطر وضمان الامتثال للقوانين.

الكلمات المفتاحية: الألعاب، الرياضة، قبول المخاطر، التوازن، السياسات

القانونية.



Legal Policy Application in Sports Risk Management

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Abstract:

In the modern sports environment, sport is exposed to complex risks that require effective strategies to manage them, and legal policies play a crucial role in balancing risk acceptance and ensuring safety in sport, this article highlights the importance of complying with legal frameworks to mitigate risks and ensure long-term success, through a descriptive and analytical approach, the study explores the application of legal policies in sports risk management, with a focus on achieving an optimal balance between risk and safety. Failure to comply with these policies can put the team's reputation and competitive edge at risk, the study addressed the central question of how sports teams can effectively implement legal policies to manage risk while striking a balance between risk acceptance and safety, stressed the importance of providing education to athletes and officials on the legal aspects of risk acceptance and established clear policies and procedures for dealing with injuries, cooperation between sports entities and legal institutions is essential for the effective implementation of laws and regulations, and ensuring the rights and safety of all stakeholders. The article found that sport can thrive sustainably and maintain its integrity and place in society by adopting risk management practices and ensuring compliance with laws.

Keywords: Gaming, Sports, Risk Appetite, Balance, Legal Policies.



Introduction:

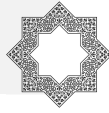
As the sports landscape becomes increasingly complex and diverse in its risks, the sports environment faces growing challenges in risk management. The application of legal policies in risk management in sports aims to achieve the ideal balance between risk acceptance and safety assurance. By adopting effective and innovative strategies, sports teams can mitigate risks and achieve success in a competitively complex environment through the development of innovative policies and procedures. Sports can develop a legal framework that enhances their understanding of risks and enables them to efficiently and transparently achieve their goals. Drawing on international and local legal practices, sports teams can identify policies and procedures that meet their individual needs while ensuring safety and legal accountability. Additionally, these policies should include mechanisms for monitoring and evaluating performance to ensure their effectiveness and adaptation to changes in the sports environment.

Research Importance

In the modern era, risk management is vital for the success of businesses, and it is also of great importance in the field of sports. By understanding the potential factors that may negatively impact sports, sports management can apply legal policies to avoid these risks or deal with them effectively. Risk management contributes to maintaining the stability of sports and enables their management to sustainably grow by reducing exposure to potential risks and efficiently achieving their goals with transparency. In the sports sector, compliance with legislation and laws related to risk management is essential, as it enhances trust among players, fans, and commercial partners. Legal policies in risk management promote transparency and integrity in the industry, safeguard the reputation of sports, and ensure long-term success.

Research Problem:

In the field of sports, the problem of teams not adhering to legal risk management policies is critical. Non-compliance with these policies can



expose teams to significant risks that negatively affect their reputation and success in competition. Compliance with legal risk management policies is necessary to ensure the continuity and success of sports in the future. The problem of the study is summarized in answering the following question:

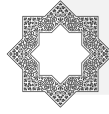
"How can sports teams effectively implement legal policies for risk management and ensure the optimal balance between risk acceptance and safety?"

Previous Studies:

- Al-Qahtani, Nawaf Nasser Hamad Al-Futaih. (2023)⁽¹⁾. Risk Management: Concept and Principles. This study focuses on the importance of risk management as an essential part of business and institutional management. It argues that sustainability in risk management requires several key elements, including legal and institutional frameworks, human expertise, and financial returns. The research also suggests that a significant portion of risk management should focus on prevention rather than just dealing with crises and disasters that may already occur. This means that it is important to formulate preventive strategies and procedures to reduce business risks and minimize their negative impact on the institution.
- Al-Sayyah, Muttalib Ibrahim. (2024)⁽²⁾. Guiding Principles in Strategic Management Policy for Risk Management. This study discusses future planning mechanisms in organizational work, where strategies aim to increase the value of management or the institution and enhance its effectiveness in facing potential challenges. To achieve this, institutions

(1) Al-Qahtani, Nawaf Nasser Hamad Al-Futaih. (2023). Risk Management: Concept and Principles. *Al-Bahith Journal of Legal and Judicial Studies*, Issue 61, pp. 390-397.

(2) Al-Sayyah, Muttalib Ibrahim. (2024). Guiding Principles in Strategic Management Policy for Risk Management. *Readings in Scientific Research and Legal and Administrative Studies Journal*, Issue 28, pp. 288-294.



rely on data and information systems to collect and analyze all expected risks and response methods to potential crises. The research proposes the necessity of developing clear policies, plans, and strategies to deal with crises, controlling and minimizing their impact as much as possible, thereby contributing to improving management performance and its continuity in operation.

- Al-Zu'bi, Ali Mohammed Farhan Abdulaziz, & Al-Hayari, Faisal Musa. (2024)⁽¹⁾. The Legal Impact of Risk Acceptance for Sports Game Parties. This study analyzes the impact of risk acceptance on the civil liability of sports teams, focusing on compensation and damage recovery in contracts and negligence. It particularly emphasizes athletes during sports challenges and violations of game rules.

Methodology:

The research methodology relies on the descriptive-analytical approach, analyzing and describing the actual situation in the application of legal policies in risk management in sports: The Path to Balancing Risk Acceptance and Safety. The study also draws on the analysis of a variety of primary and secondary sources, including scholarly publications.

(1) Al-Zu'bi, Ali Mohammed Farhan Abdulaziz, & Al-Hayari, Faisal Musa. (2024). The Legal Impact of Risk Acceptance for Sports Game Parties. Law and Business Journal, Issue 101, pp. 70-82.



1. Concept of Risk Management in Sports:

In the realm of sports, the concept of risk acceptance refers to the process undertaken by sports teams and participants to identify and accept potential risks that may occur during sports competitions or training sessions. Accepting risks entails engaging in sports activities freely according to their regulatory rules, with full awareness and understanding of the potential risks and their nature that may occur. Thus, the individual has a genuine and voluntary consent to unusual risks that they may encounter.

Risk acceptance involves evaluating the hazards and potential risks associated with sports activities and making appropriate decisions to deal with them⁽¹⁾.

- **Risk Analysis:** Risk acceptance requires analyzing various risks that sports teams may face during competitions or training sessions, such as physical injuries, financial matters, and legal issues⁽²⁾, as follows:

A. Physical Injuries: Risk analysis in this aspect involves assessing potential injuries that sports teams and athletes may sustain during competitions or training sessions. It involves analyzing the types of possible injuries, such as bruises, fractures, and sprains, and determining the severity level of each type of injury. The analysis also includes medical evaluation of athletes to identify health conditions, physical fitness, and special needs that may increase the risk of injury. B. Financial Matters: Risk analysis involves estimating financial matters that may impact sports teams, such as equipment

(1) Lamín, Akhmaros Mohamed. (2019). Insuring Sports Practitioners. *Milaf Journal of Research and Studies*, Vol. 5, No. 2, pp. 226-242.

(2) Risk management is the set of measures taken by project owners or stakeholders to control the risks that a project may encounter during its execution.

Al-Dahrawi, Mohammed Ahmed Mohammed, the poet, Ayman Ali Abdul Hamid, Ayoub, Ahmed Hussein Sayed Ayoub, and Mohammed Al-Sayed. (2023). The Role of Governance in Risk Management in Youth and Sports Organizations. *Journal of Sports Education Research*, 75(149), 119-163.



costs, travel and accommodation expenses for international competitions, and costs of treatment and health insurance for injured athletes. It analyzes potential financial factors that may affect the team's budget and plans for effective management.

C. Legal Issues: Risk analysis includes evaluating local and international laws and regulations governing sports participation and competitions. It assesses potential legal issues such as civil liability in case of injuries, anti-doping laws, and laws related to sports arbitration and dispute resolution. Legal analysis aims to identify legal obligations for sports teams and ensure the enjoyment of necessary legal rights and protection during sports activities.⁽¹⁾

By dealing with the accurate analysis of the risks they face, sports teams are required to make appropriate decisions to reduce these risks and protect the team and players. Based on the detailed risk analysis, sports teams can implement additional preventive measures to reduce injuries, such as using necessary protective equipment and providing specialized medical care during training and competitions. This also includes implementing health and safety procedures to prevent the spread of diseases and non-sports-related injuries, such as measures related to personal hygiene and sanitation⁽²⁾.

- **Decision Making:** Based on the detailed risk analysis, sports teams make appropriate decisions on how to deal with potential risks, whether by making changes in game strategies or developing training programs to reduce injuries. When sports teams deal with the accurate risk analysis they face, it becomes necessary to make appropriate decisions to reduce these risks and protect the team and players. By dealing with the accurate risk analysis, sports teams can implement additional preventive measures

(1) Joudi Bilal. (2017). Responsibility of Sports Clubs in Managing Risks within Sports Facilities: A Field Study in Football Clubs in the City of Biskra, pp. 1-48.

(2) Ali, Jabir Mahjoub. (2023). Sports Error and Civil Error (Match or Difference?). Journal of Law and Economics, 96(1), 11-38.



to reduce injuries, such as using necessary protective equipment and providing specialized medical care during training and competitions. This also includes implementing health and safety procedures to prevent the spread of diseases and non-sports-related injuries, such as measures related to personal hygiene and sanitation⁽¹⁾.

- **Planning and Organization:** Risk acceptance requires developing plans and strategies to deal with risks effectively, including developing policies and procedures for preventing injuries and accidents and ensuring compliance with local and international laws and regulations through:

A. Developing Prevention Policies and Procedures: This aspect involves developing policies and procedures aimed at preventing injuries and accidents during competitions and training sessions and identifying the necessary measures to ensure the safety of players, such as periodic health checks, physical fitness assessment, and inspection of sports equipment and protective clothing.⁽²⁾

B. Compliance with Laws and Regulations: Risk acceptance requires sports teams to comply with local and international laws and regulations related to sports participation to ensure compliance; sports teams must develop precise plans and provide the necessary licenses and permits from the competent authorities. This includes regularly reviewing and updating internal regulations, as well as raising awareness and training team members on the importance of compliance with laws and regulations. Through these steps, sports teams can reduce legal risks and ensure the sustainability of sports activities.⁽³⁾

(1) Schnell, A., Mayer, J., Diehl, K., Zipfel, S., & Thiel, A. (2014). Giving everything for athletic success! –Sports-specific risk acceptance of elite adolescent athletes. *Psychology of sport and exercise*, 15(2), 165-172.

(2) Skjong, R. (2002). Risk Acceptance Criteria: current proposals and IMO position. *Surface transport technologies for sustainable development, Spain*, 46, 784.

(3) Breivik, G. (2010). Trends in adventure sports in a post-modern society. *Sport in*



It is worth noting that, generally, when participating in sports activities, individuals are presumed to accept the expected risks that may arise during sports practice. The concept of risk acceptance is objective, relying on the circumstances and surrounding conditions to determine whether the person has accepted the risks or not. For example, when a player participates in a sports game, they are considered to have accepted the expected risks that may arise during the match. However, this acceptance should be implicitly detailed through the player's consent to the specified laws and rules of the game.⁽¹⁾

Under this understanding, all parties participating in sports – whether stadium owners, event organizers, or players – are considered to have accepted the expected risks associated with sports practice. Nevertheless, this acceptance does not extend to include damages caused by violating or disregarding the rules.

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society, 13(2), 260-273.

- (1) Graupensperger, S., Benson, A. J., Bray, B. C., & Evans, M. B. (2019). Social cohesion and peer acceptance predict student-athletes' attitudes toward health-risk behaviors: A within-and between-group investigation. *Journal of science and medicine in sport*, 22(12), 1280-1286.



2. The Legal Impact of Risk Acceptance in Sports

The acceptance of risks in sports relies on two intertwined concepts: awareness of the anticipated risks and willingness to bear these risks. While risk awareness reflects the acknowledgment of danger and its potential consequences, willingness to bear the risks expresses active acceptance of these risks in pursuit of specific goals.⁽¹⁾

For example, both a boxer and a football player are aware in advance of the anticipated risks of their respective sports. The boxer knows about the physical injuries that can result from powerful blows, while the football player is aware of the risk of severe injuries during collisions or falls⁽²⁾.

The next stage is the players' willingness to bear these risks. Players may be fully aware of the risks, but their choices in accepting them may vary depending on their personal goals and preferences. For instance, a boxer may choose to continue despite the potential risks because they value competition, winning, and the personal and professional gains that may result. Similarly, a football player may want to continue playing despite the risks because they enjoy the game and want to support their team and achieve collective success.

Therefore, it's important to understand that accepting risks in sports is not just about acknowledging the danger but is an active decision made by individuals based on a balance between personal goals and potential risks. Agreeing to accept risks in sports can affect the assessment of liability and exceptional damage mitigation, especially when it comes to exceptional risks that may occur outside the normal context of the game. When an individual accepts exceptional risks, they may be viewed more leniently regarding determining responsibility for any resulting harm. Accepting these risks may

(1) Abdulkarim, M. (2023). Legal and Sporting Responsibilities of Athletes. *Annals of the University of Algiers 1*, Vol. 37, Issue 1, pp. 167-185.

(2) Abdulkarim, Muaziz. (2011). Legal Protection for Sports Risks. *Al-Tahaddi Journal*, Issue 4, pp. 101-116.



be part of the overall sports landscape.⁽¹⁾

However, being aware of the damage and its lack of impact on liability does not necessarily mean that the person has effectively accepted the anticipated risks. For example, if a football player sustains a serious injury to the foot during a game according to the ordinary rules of the game, the awareness of the risks does not exempt officials from providing appropriate compensation if the injury resulted from negligence or failure to take the necessary safety measures.

Therefore, while risk acceptance may affect liability assessment in some exceptional cases, awareness of the damage alone is not sufficient to absolve the parties involved of liability if the damages result from negligence or failure to take necessary risk-reducing measures.

The idea of accepting risks is based on potential harm rather than actual harm occurring. For example, in equestrian sports, like in other sports activities, participants may encounter situations that require quick decisions related to potential risks. A rider may find themselves in a situation requiring them to make a quick decision to avoid harming the horse they're riding or to prevent injury to the audience or other individuals around the track. In this scenario, the rider may have previously accepted the anticipated risks of participating in equestrian sports, but they may find themselves in a position requiring them to make immediate decisions to avoid harm. Thus, risk acceptance in this case may be linked to being prepared to assume responsibility and make tough decisions for the safety of all participants in the race⁽²⁾.

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- (1) Al-Balushi, Rashid bin Hamad bin Hameed. (2019). Criminal Responsibility for the Use of Doping in Sports: A Comparative Study. University of Sharjah Journal of Legal Sciences, Vol. 16, Issue 1, pp. 308-338.
- (2) Brouha, P., Naidu, D., Cunningham, M., Furr, A., Majzoub, R., Grossi, F. V.,... & Barker, J. H. (2006). Risk acceptance in composite-tissue allotransplantation reconstructive procedures. *Microsurgery: Official Journal of the International*
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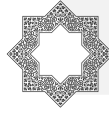
It's worth mentioning that a player's acceptance of risks in sports does not necessarily mean accepting all potential harm. Instead, risk acceptance reflects the player's willingness to bear the anticipated risks associated with engaging in the sport, including possible injuries or other risks that may arise during competitions.

It's natural for players to be aware of the potential risks of the sports they engage in, but this awareness does not necessarily mean they agree to accept all possible harm. For example, a player may be willing to accept the anticipated risks of playing football, such as minor injuries like ankle sprains, but they may not be willing to accept serious injuries like a broken leg.

In other words, a player's acceptance of risks in sports may be their acknowledgment that they are aware of the risks and agree to bear some of them, but it may not necessarily be a complete acceptance of all potential harm. Ultimately, it's about balancing the desire for competition and achieving success against maintaining the player's safety and ensuring that serious physical harm does not occur.

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Microsurgical Society and the European Federation of Societies for Microsurgery, 26(3), 144-149.



3. The legal responsibility of athletes accepting risks in sports: Balancing risk awareness and liability.

Legal responsibility is associated with several factors, including the extent of acceptance of risks by the participating parties⁽¹⁾, the security measures adopted, and the ethical standards followed in competitions:

A. Acceptance of risks and responsibility: In some cases, an athlete's acceptance of risks may be interpreted as consenting to assume responsibility for injuries that occur during sports activities, especially if the athlete has clearly and voluntarily accepted the anticipated risks. Acceptance of risks in sports can sometimes be interpreted as consenting to assume responsibility for injuries that may occur during sports activities. When an athlete accepts risks clearly and voluntarily, it may be seen as consenting to assume responsibility for any injuries that may result from that acceptance. In these contexts, the athlete is considered to have waived their rights by consenting to the anticipated risks in sports, thus assuming some responsibility for any injuries that occur during the competitions. This interpretation is particularly valid if the athlete has received sufficient information about the potential risks and if this information has influenced their decision to participate. Legally, clear and voluntary acceptance of risks is part of the common responsibility in sports. These acknowledgments are usually included in agreements or consent forms signed before participating in sports activities. In the event of injuries during participation, these acknowledgments may be considered evidence of prior consent to risks and may have an impact on mitigating the civil or legal liability of the organizing party.

B. Security measures: Organizers and supervisors of sports events must take

(1) Ben Al-Akhder, Mohammed, & Ben Sahah, Yacoub. (2019). Administrative Responsibility Based on Risks Arising from Unusual Private Damage in Algeria. Al-Bahith Journal of Social and Sports Sciences, Issue 4, pp. 188-198.



necessary measures to ensure the safety of participants and spectators, including establishing strict rules, guidelines, and security procedures. If it is proven that security measures were inadequate and led to injuries, the organizing party may bear legal responsibility. Security measures in the context of sports are crucial steps to ensure the safety of participants and spectators during sports competitions. Establishing strict rules, guidelines, and security procedures is an essential part of the responsibility of organizers and supervisors of sports events⁽¹⁾. If it is proven that security measures were inadequate and led to injuries, the organizing party may bear legal responsibility for those injuries. Liability depends on several factors, including:

- The clarity and suitability of the measures: Security measures must be clear and suitable for the potential risks in the relevant sport. If the measures are unclear or unsuitable, it may be difficult for participants to follow them correctly, increasing the likelihood of injuries.
- Effective implementation of measures: Merely establishing measures is not sufficient; they must be implemented effectively as well. If rules and guidelines are not applied correctly or are ignored, the organizing party may be held responsible for injuries resulting from this negligence.
- Regular documentation and assessment: Organizers and supervisors must document security measures and regularly assess them to ensure their effectiveness and suitability. If there are repeated weaknesses in the security system, the organizing party may be held responsible for injuries resulting from those weaknesses.

C. Ethical standards: Ethical standards play a crucial role in the sports arena, defining what is acceptable and unacceptable in terms of behaviors and

(1) Noetel, M., Ciarrochi, J., Van Zanden, B., & Lonsdale, C. (2019). Mindfulness and acceptance approaches to sporting performance enhancement: A systematic review. *International Review of Sport and Exercise Psychology*, 12(1), 139-175.



actions. If there are violations of ethical standards in sports⁽¹⁾, all parties involved in sports⁽²⁾ must respect ethical standards and sports laws. For example, if a player intentionally causes harm to others illegally or unethically, they may face legal issues and legal responsibility for their actions.⁽³⁾ Legal intervention is one of the mechanisms that contribute to ensuring compliance with ethical standards in sports. Sports authorities or legal entities can intervene when there is a violation of ethical standards, either by imposing penalties on violators or by taking legal actions to ensure justice. Awareness and education also play a crucial role in promoting compliance with ethical standards in sports. Various parties within the sports environment, such as players, coaches, referees, and spectators, must learn and understand ethical standards and their importance, as well as the legal consequences of violating them. Transparency in sports should also be encouraged by providing mechanisms for reporting any violations of ethical standards. This helps uncover violations and hold those responsible accountable, thereby promoting integrity and transparency in the sports field.⁽⁴⁾ In general, legal issues regarding sports vary depending on the laws and regulations in each country. Legal assessments are influenced by individual circumstances and the specific details of each case. Therefore, parties involved in sports must adhere to safety guidelines, ethics, and local laws⁽⁵⁾.

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- (1) Nixon, H. L. (1993). Accepting the risks of pain and injury in sport: Mediated cultural influences on playing hurt. *Sociology of sport journal*, 10(2), 183-196
 - (2) Ryan, C. (2013). Risk acceptance in adventure tourism—Paradox and context. In *Managing tourist health and safety in the new millennium*(pp.55-65). Routledge.
 - (3) Kazem, Nadia Abdulali (Author). (2020). Civil Liability for Stadium Injuries: Civil Liability | Stadium Injuries | Sports Rehabilitation | Sports Activities. *Journal of Al-Nasser University*, pp. 131-171.
 - (4) Fuller, C., & Drawer, S. (2004). The application of risk management in sport. *Sports medicine*, 34, 349-356
 - (5) Ahmed, Shana Sharif, & Smail, Tahseen Hamad. (2022). Adapting the



Conclusion:

In conclusion, the Article demonstrates that risk management is a fundamental element for the success of sports in the modern era. The challenges and risks facing sports teams are diverse, whether related to financial issues or the safety of players and spectators. Therefore, adopting effective strategies for managing these risks is the optimal way to maintain the continuity and success of sports.

As risk management is a shared responsibility among sports teams, legal entities, and fans, all parties should work together to achieve the highest levels of compliance with regulations, laws, and ethical standards. By balancing the acceptance of risks as part of sports with ensuring safety and compliance with laws, sports can successfully achieve their goals, maintain their reputation, and enjoy a strong standing in society. The research has led to the following conclusions and recommendations:

Results:

- Accepting risks in sports requires a deep understanding of expected risks and active willingness to assume these risks, which can affect the assessment of legal responsibility and liability in exceptional cases.
- Although risk acceptance in sports reflects an individual's readiness to bear expected risks, it does not necessarily mean accepting all damages that may occur and may be related to readiness to assume responsibility and make tough decisions in emergency situations.
- Accepting risks in sports reflects a delicate balance between the desire to compete and achieve success and maintaining player safety and avoiding serious physical harm, which can influence decisions regarding liability

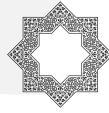
Responsibility of Athletes and Coaches Resulting from Doping in Sports Halls: Bodybuilding as a Model: A Comparative Analytical Study. Basrah Studies Journal, Vol. 44, pp. 287-336.



and compensation for injuries.

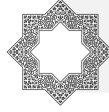
Recommendations:

- Educational programs should be provided for athletes and officials in the sports field regarding the legal aspects of risk acceptance, including their legal rights and obligations, and the potential impact on assessing legal liability. This can be beneficial by enabling them to understand these legal aspects, empowering them to make informed decisions and act cautiously to minimize legal liability.
- Sports organizations and relevant entities should develop clear and specific legal policies and procedures for dealing with injury cases, defining responsibilities, and determining necessary procedures for providing compensation.
- Enhancing collaboration between sports entities and legal institutions ensures effective implementation of laws and regulations, safeguarding the rights and safety of all involved parties. This includes establishing permanent communication mechanisms, organizing meetings, and forming mixed committees to monitor law enforcement and provide legal advice.



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