

Study on the Characteristics and Prevention Strategies of Injury Accidents of Chinese Young Athletes- Statistical Analysis Based on 68 Civil Judgment Documents

Ya Wen Guo

International College, Krirk University, Thanon Ram Intra, Khwaeng Anusawari, Khet Bang Khen, Krung Thep, Maha Nakhon10220, Thailand

Email: 942457333@qq.com

Article History: Received: 11 January 2021; Revised: 12 February 2021; Accepted: 27 March 2021; Published online: 10 May 2021

Abstract: The purpose of this study is to analyze the current situation of juvenile athletes' injury accident judgment documents, so as to provide reference for sports related personnel and judicial personnel. In this paper, 68 judgment documents of injury accidents of young athletes in courts at all levels in China from May 20, 2014 to December 23, 2020 were collected, and the judgment results of injury accidents of young athletes were analyzed by content analysis method. The results show that: the injury age stage, the time of the accident, the type of injury, the injured part, the degree of disability, the type of defendant and the liability of compensation of young athletes have seven characteristics. And based on the characteristics of young athletes' injury accidents, five prevention strategies are proposed to continue to deepen the integration of sports and education, fully equip school sports facilities, strengthen the teaching and training of P.E. teachers, strengthen the safety of youth sports, and popularize school sports liability insurance.

Keywords: athlete; injury accident; imputation cause; civil case; judgment document

Introduction

Athletes refer to those who are engaged in sports. To improve the competitive training level of our young athletes is conducive to promoting promote the vigorous development of national sports. With the deepening of China's school physical education reform and the progress of physical education, it has become an urgent and arduous task to strengthen the construction of school physical education law and improve the level of teaching according to law. In recent years, the cases of juvenile athletes' sports injury accidents resorting to the court have gradually increased. The occurrence of accidents has a certain negative impact on the participation of juvenile athletes in sports, sports coaches' training and the healthy development of school physical education.

2. RESEARCH METHODS

Using the content analysis method and the advanced retrieval function, this paper searches the keywords "athlete" and "injury" successively on March 17, 2021 on the platform of China judicial documents website. The cause of action part selects "civil cause of action", and the type part selects "judgment". A total of 666 judicial documents are obtained. This paper mainly studies the characteristics of injury accidents of Chinese young athletes, excluding the cases of training venue change, insurance company contract disputes, health food cases, repeated cases and non youth age injury cases, which are inconsistent with the subject of this paper, and sorting out 68 effective civil judgment documents, and corresponding to 68 cases of injury accidents of young athletes Accident cases. Taking the 68 cases as the research object, this paper analyzes the characteristics of the accidents, and

explores the prevention strategies of injury accidents of young athletes. The research scope of this paper includes the injury accidents of Chinese young athletes during training and competition, as well as the injury accidents of life management of young athletes in schools.

3. RESEARCH RESULTS AND ANALYSIS

3.1 ANALYSIS OF AGE STAGE

Teenagers' physical training must put self-protection in an important position^[1]. According to the statistical analysis of the age stage of injury accidents of young athletes, the injury age is mainly in junior high school, accounting for 51.5% of the total accident age. As shown in Table 1, junior high school athletes are relatively low in age and lack of sports self-protection consciousness.

Table 1. Statistical table of age stage of injury accidents of Chinese young athletes

Age stage	Junior high school	Senior high school
Number of cases	35	33
Percentage%	51.5	48.5

3.2 ANALYSIS OF OCCURRENCE TIME

Based on the analysis of the time of injury accidents of young athletes, as shown in Table 2, the proportion of injury accidents of young athletes participating in school sports meeting is the highest, accounting for 35.3% of the total proportion of injury accidents; the proportion of participating in extracurricular competition is the second; the proportion of physical education training is the lowest. Taking part in the school sports meeting and the competition outside the school has the highest incidence of accidents. These two kinds of activities belong to the nature of competition. It can be seen that taking part in the competitive competition is the most frequent period of injury accidents for young athletes.

Table 2. Statistics of injury time of Chinese young athletes

Time of occurrence	Time of occurrence	School sports meeting	School team training	Physical education training
Club training	Spare time			
Number of cases	23	24	10	2
4	5			
Percentage%	33.8	35.3	14.7	2.9
5.9	7.4			

3.3 ANALYSIS OF SPORTS CATEGORIES

Based on the different characteristics of sports, the sports risk is also different. As shown in Table 3, in terms of sports categories, ball games have the highest accident rate, accounting for 45.6% of sports accidents, followed by track and field events. Ball games are loved by the public and are more prone to accidents than other sports.

Table 3. Statistical table of sports categories of injury accidents of Chinese young athletes

Sport type	Ball game	Track and field	Attack	Snow water skills
Number of categories	31	26	8	3
Percentage%	45.6	38.2	11.8	4.4

3.4 ANALYSIS OF INJURED PARTS

As shown in Table 4, according to statistics, the injured parts of young athletes are mainly lower limbs, accounting for 50% of the total injured parts, and the head and neck and upper limbs account for 19.1% respectively. Combined with injury time and injury statistics, athletes should be fully prepared for warm-up before competitive sports. Schools and relevant personnel should also ensure the safety of athletes to prevent injuries.

Table 4. Statistical table of injured parts in injury cases of Chinese young athletes

Injured parts	Head and neck	Upper limb	Lower limbs	torso
Number of cases	13	13	34	9
Percentage%	19.1	19.1	50	13.2

3.5 ANALYSIS OF DISABILITY GRADE

According to the situation of labor dysfunction, the disability level is divided into 10 levels, and the one with the heaviest disability is level 1. In this paper, a total of 51 cases of disability grade from grade 10 to grade 6 were identified. The number of disability decreased from light to heavy according to the disability grade. The more severe the disability grade was, the less the number of disability was. Statistics show that the injury accident disability level of young athletes is mainly level 10, which means that the ability of daily activities, work and learning ability, social communication ability and other parts are limited, accounting for 42.6% of the total proportion of disability; level 6 disability refers to the partial compensation of the ability of daily life, the reduction of various activities, incompetence to the original work, narrow social communication, which accounts for the lowest proportion in this paper, as shown in the table 5.

Table 5. Statistical table of injury accident disability level of Chinese young athletes

Disability level	Level 10	Level 9	Level 8	Level 7	Level 6
Number of cases	29	13	4	3	2
Percentage%	42.6	19.1	5.9	4.4	2.9

3.6 ANALYSIS OF TYPES DEFENDANTS

As shown in Table 6, according to the statistics of the types of defendants in injury accidents, it is found that the main body of the defendants in injury cases of young athletes is schools, up to 91.2% of the total proportion of the defendants. Therefore, as long as under the management of the school, whether it is in school training or out of school competition, once an accident occurs, the school will become the main target of the defendant. According to the analysis that opponents account for about one fifth of defendants, athletes must pay attention to the injury caused by attack and defense in competition or training. Knowing the risk, voluntary participation, inherent risk and no intention and no gross negligence are the elements of self indulgence risk^[2]. As the name suggests, the voluntary risk rule is produced in response to the more prominent risk of civil activities. Sports, based on the prominent physical, antagonistic, competitive and other characteristics, has naturally become one of the most frequently involved areas of this rule. The previous relevant theoretical research in China also mostly focuses on the voluntary risk defense of sports injury^[3]. On January 1, 2021, article 1176 of the civil code of The People's Republic of China was officially promulgated and implemented. It established for the first time that self indulgence risk is the exemption reason. It is an important weapon to maintain the balance between the freedom of behavior of the actor and the protection of the rights and interests of the victim^[4]. The voluntary risk has been incorporated into the law, which has become the defense of tort liability in civil law. The participants should be cautious in competition or training to avoid mutual injury.

Table 6. Statistical table of defendant types in injury accidents of Chinese young athletes

Types of defendants	Opponent	School	Teacher	Education department	Sports Association	club
Number of cases	13	62	6	10	2	12
Percentage%	19.1	91.2	8.8	14.7	2.9	17.6

3.7 ANALYSIS OF COMPENSATION LIABILITY

The imputation and treatment of school sports injury accidents is the key to legislation, and also the fundamental to solve disputes^[5]. According to the analysis of the compensation proportion of injury cases of young athletes in China, more than half of the compensation proportion is taken as the classification basis. As shown in Table 7, the main compensation liability is the fault of the defendant, accounting for 60.3% of the total accident compensation proportion. The trial of accident cases is strict, the explanation is reasonable, the legal obligations of all parties are clear, the code of conduct of all parties is standardized, and the legal rights of the parties are confirmed.

Table 7. Statistical table of compensation liability for injury cases of Chinese young athletes

Liability for compensation	Fault of plaintiff	Fault of defendant	Equal fault
Number of cases	23	41	4
Percentage%	33.8	60.3	5.9

4. CONCLUSION

According to the sample statistics, the age of injury accidents of Chinese young athletes is mainly in junior high school; the time of accidents is mainly in school sports meeting; the most common types of accidents are ball games; the injured parts are mainly lower limbs; the disability level is mostly grade 10; the school defendant rate of injury cases is 91.2%; the defendant's negligence is the main compensation liability, accounting for 60.3% of the compensation proportion. On the whole, in addition to the risk management of athletes to reduce the probability of accidents and the degree of damage, schools also need to buy school sports insurance, so as to give full protection to young people's sports injuries. According to the characteristics of injury accidents of young athletes, this paper puts forward five prevention strategies: Deepening the integration of sports and education, fully equipping school sports facilities, strengthening the teaching and training of physical education teachers, strengthening the safety education of young sports, and popularizing school sports liability insurance.

REFERENCES

1. Jh. DONG: On the prevention of sports injuries in youth sports training. Proceedings of 2020 science and education innovation Symposium, (Volume I), 295-296 (2020).
2. Y. HAN: The application of assumption of risk in the civil code in sports. Journal of sports and science, 41(4), 13-26 (2020).
3. Sq. SUN, Yw. JIN: On the Application and Evolution of the Rule of Voluntary Assumption of Risk in Combat Sports: Based on Article 954-1 of the Second Review Draft of Tort Liability in Civil Code. Journal of Tianjin Institute of sport, 35(2), 216-220 (2020).
4. Lx. YANG, Mq. SHE: Voluntary assumption of risk rules and application in the civil code. Journal of Henan university of economics and law, 180, 1-9 (2020).
5. Xy. LI: Different principles of liability for school sports injury accidents in local regulations of China: With Civil Code of Tort Liability as background. Journal of Shandong sport university, 36(5). 52-58 (2020).