



SPORT | Issue No. 20 | *Suing Wimbledon: you can't be serious!*

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There is no bigger name in Tennis than Serena Williams, so when Serena Williams threatens to sue Wimbledon (the home of Tennis) it's big news. Serena is the second player this Wimbledon to throw around the threat of litigation in the heat of the battle. Frenchman Gilles Simon made a similar threat. Both of these threats arose from the players being dissatisfied with the slippery conditions.

When Serena makes a threat things happen and the match was suspended. Later Serena is quoted as saying "I have no plans, no future of suing Wimbledon. Let's get serious. That is not what I do."

The really interesting thing to me about this story is that we are used to players frustrated with what is going on - smashing racquets, belting balls, hurling abuse, feigning injuries, but now the world has got to a point that the threat they throw at the umpire is that they will sue them.

"A valid question is whether lawyers are to blame for making the threat to sue people more common in today's society?"

In one respect, the irony of this is that the tournament organisers of Wimbledon clearly owe a duty of care to the participants. Under Australian law if the players were forced to continue when the conditions were unsuitable or dangerous and the player suffered an injury which prevented them from either competing in that match or competing at subsequent tournaments, they would most likely be successful in suing the tournament organisers, owners and the umpire. In the case of top players the damages awarded could be substantial.

It is not remarkable, and indeed there have been many legal actions bought by athletes of all persuasions (professional and amateur) who were injured as a result of unsafe conditions. What is remarkable is that high profile sportsmen are now using the threat of litigation to achieve their desired outcomes.

A valid question is whether lawyers are to blame for making the threat to sue people more common in today's society? We see signs for lawyers offering litigation services generally on a "no win, no fee" basis on the back of buses, bus shelters, billboards, television and radio.

I will leave it to you to determine whether lawyers are creating this new situation or whether they are simply responding to the change in society.

But now that Serena has said it, I think we will hear it said a lot more often in all types of sport where matches are held in wet, slippery and arguably dangerous conditions. As children mimic their heroes in smashing racquets and ball abuse, will we see thirteen year olds threatening to sue Tennis umpires?

We live in interesting times.



John Mullins

Partner

Mullins Lawyers

t +61 7 3224 0210

jmullins@mullinslaw.com.au