

# NZOIA Quarterly

Number 31

Newsletter of the New Zealand Outdoor Instructors' Association

December 2004

## Jo Straker Life Member

### Notes from the River Bank

I thought notes from the river bank had a more romantic ring to it than notes whilst sitting in front of a computer screen with the sun shining outside. But what relevance does that have to outdoor education? Well there is a romanticized version of OE as cultivating free spirits in the outdoors, planning and completing exciting adventurous trips and being recognised as having the potential to save the world.

However in reality a lot of OE occurs indoors, in controlled unadventurous situations and is regarded by many observers to be a waste of time and certainly not worthy of much funding.

For many New Zealanders even sitting in contemplation by the riverbank is no longer an option. Such activities are permeated with a culture of fear, boredom or both. What if you fall in and drown; what if a stranger comes by and attacks you; what if someone thinks you a slightly mad as you sit in stillness in the lotus position and perhaps most current - who owns it? The Modernist discourses I grew up with of science, reason and progress promised a better life filled with more knowledge, more free time and more choice. Some of these promises may have been fulfilled but not with the expected consequences.

This may sound a little depressing and from a nostalgic point of view it is, but there are other exciting learning opportunities emerging. The postmodern era challenges all sorts of conventions in art, architecture and fashion, from preserving and displaying dead cows to wearing underwear as outerwear.

**Merry  
Christmas  
to all  
NZOIA  
members.**



The same challenges are occurring in the outdoors as equipment and activities are breaking traditional rules. This is demonstrated in activities as diverse as being airborne on bikes, looping a skateboard, cart-wheeling kayaks and flying on a kite-board. The traditional limits of gear, technology and the body are pushed and extended in new and diverse ways and by different groups. Adventure activities are no longer the privilege of the elite but are available to a much wider cross section of the population.

Last weekend I climbed at the Roxx, the newest climbing facility in Christchurch and it was great. I was there for less than two hours, my body got tired, my adrenal gland got activated and I met heaps of old (and young) friends. A different group of adventurers were having a blast. It's safe, it's clean, it's dry and while the café hasn't quite opened, it will.

So adventure education (notice the change of term here) is no longer arduous tramps along muddy tracks through freezing rain and flooded rivers.

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www.safeoutside.org

..... from front page

### Jo Straker Life Member

It has become a marketable commodity of instant gratification, controlled spaces and social groupings.

Is NZOIA keeping pace with this? Does it need to?

Sometimes it's important to sit by the riverbank and reflect on where we have come from and where we would like to go next. One thing is certain the world is changing and you can either go with the flow or try to nudge it along in the direction you'd like.

I would like to thank Jill and the committee of NZOIA for awarding me an Honorary Life Membership. I hope I can keep on developing and promoting "Excellence in Outdoor Instruction" in whatever form we create.

**Jo Straker**

## NZOIA

### Website

### JOB BOARD

- looking for a job ?
- got a job to fill?
- see the NZOIA website at:

**[www.nzoia.org.nz/  
member\\_only/  
job\\_board.asp](http://www.nzoia.org.nz/member_only/job_board.asp)**

*(please note that this facility is only available to current NZOIA members)*

# Editorial

It's a great pleasure to be able to start this *Quarterly* on a highly positive note...We've just received notice from SPARC of a substantial increase in funding over the next two years. This will enable us to push forward and deliver on a number of development initiatives in our Strategic Plan subject to further negotiation with SPARC. Clearly investment in our organisation is a sign that SPARC recognises we are in good health, have robust management structures and are well positioned to make good use of the funds. Water Safety NZ have also recently confirmed continued funding over the next year so our overall financial outlook is very good. Our sincerest thanks to these two agencies.

In the last *Quarterly* I acknowledged the work of both Jill Dalton and Jim Hepburn as they stood down from the Executive. Also departing this time around was Ian Logie. Ian has been a member of the Exec. for a number of years, making significant input to website development and matters of an educational and kayaking nature. Ian is a quiet and very thoughtful person who considers issues carefully before stating his views. He's not afraid to express a different perspective and in this way I have found him most thought provoking. Sincerest thanks for your valued contribution Ian.

Recently, Mick Hopkinson and I represented NZOIA at the second and final Coroners hearing into the tragic death of Tim Jamieson on the Buller River in February 2002. There is considerable interest in this case so once the Coroner's report is released we'll dedicate space in the *Quarterly* to providing more information to you. In the meantime I'd like to reflect on my experience in the witness stand.

It was a full day with a variety of witnesses called and cross examined including myself and Mick. Tim's family were there together with the instructors and institution responsible for the trip, the Police, MSA, lawyers and the media.

I was amazed by the thoroughness and depth of the Police investigation. I was moved by the personal cross examination conducted by Tim's parents as they tried to find answers and make sense of what happened. I was frustrated by the suggestions of the MSA that a satellite phone or VHF radio could have prevented this fatality. I felt for the instructors in the knowledge that I myself am not infallible and could one day be in their terrible position. It was a sad and sobering experience.

There are many lessons to learn from such an incident and we'll expand on these in the next issue. In the meantime they can perhaps be summed up by Mick when he says "don't stuff up!" It's good advice.

I'm reminded of the words of Edward Whymper (first to climb the Matterhorn) which perhaps apply equally to those leading others, and life as a whole, as to climbers:

"There have been joys too great to be described in words, and there have been griefs upon which I have not dared to dwell; and with these in mind I say, Climb if you will, but remember that courage and strength are naught without prudence, and that a momentary negligence may destroy the happiness of a lifetime. Do nothing in haste, look well to each step, and from the beginning think what may be the end."

Before I close I'd like to put things in perspective as I did in my letter to the Nelson Mail... NZOIA has been in existence for 17 years, there has been phenomenal growth in recreational kayaking and kayak instruction and this is the first ever kayaking fatality under one of our instructors. Keep up the good work!

We welcome correspondence on this issue.

**Matthew Cant**  
President

# National Sea Kayak Award Up and Running!

This has been a lengthy process and if you would like more background reading, refer to John Kirk-Anderson's article in the latest KASK magazine, No 112. However we are now up and running!

The following people have been awarded the **Level 2 Sea Kayak Instructor Award** from a meeting on the 12<sup>th</sup> September 2004.

## Level 2 Sea Kayak Instructor Award Holders

Carl Ahradsen	Ray Button **
Paul Chaplow	Steve Chapman **
Chris Gulley **	John Kirk-Anderson
Dave Mangnall	Andy Thompson **
Sean Waters	Gareth Wheeler **

\*\* Assessors for Level 1

## How do you get these awards?

There are two ways you can obtain this award. The following process is:

### 1. RPL (Recognition of Prior Learning)

6 months time frame to Grandparent - state what award you want to apply for e.g. Sea Kayak Level 1 or Sea Kayak Level 2.

- Provide evidence against the syllabus (posted on the NZOIA web site) :
  - Log book - summarise personal experience and instructional experience.
  - Other and supporting qualifications: ie. SKOANZ, first aid (people could show equivalent of content to SKOANZ, possibly overseas qualification).
  - Attestation.
  - Other evidence. eg. A video showing performance.
  - Show evidence of some previous assessment in sea kayaking.
- Be a current member of NZOIA
- The RPL fee is: \$90.00

If you don't get it or you can't do it in the next 6 months then you have to sit the whole award.

Applications for **Recognition of Prior Learning** should be sent to: Administration Officer, NZOIA, PO Box 11-090, Manners Street, Wellington 6034

### 2. Enrol in the assessment to complete your Sea Kayak Instructor Level 1 Award.

Apply through NZOIA. Refer to syllabus & assessment dates on: [www.nzoia.org.nz](http://www.nzoia.org.nz) or [www.skoanz.org.nz](http://www.skoanz.org.nz)

## The Award structure is as follows;

1. Sea Kayak Proficiency Award
2. Sea Kayak Guides Award
3. Sea Kayak Instructor Level 1
4. Sea Kayak Instructor Level 2

### Sea Kayak Proficiency Award - Scope

For recreational sea kayakers seeking formal recognition of their skill and knowledge, and for those who are starting on the pathway to higher-level awards.

Refer syllabi as written in Sea Kayak Instructor Level 1 Award.

### Sea Kayak Guides Award - Scope

For *professional* sea kayak guides working in a commercial environment who take clients on kayaking trips involving coastal, lake or open water paddling. Sea Kayak Guides will be *competent* and familiar with the use of both single and double *sea kayaks* in a guiding environment.

Sea Kayak Guides shall be able to demonstrate the required skills outlined in this award in *adverse* conditions. Refer web site for syllabi at: [www.skoanz.org.nz](http://www.skoanz.org.nz). Guides' Syllabus Reviewed 17<sup>th</sup> November 2003.

### Sea Kayak Level 1 Instructor Award

#### 1. Scope.

For those who instruct clients to become competent sea kayakers with the skills and knowledge contained in the Proficiency Award.

#### 2. Pre-requisites.

Prior to the assessment, candidates are required to submit suitable evidence of the following:

Sea Kayak Guides Award Completed.

35 personal sea kayak days.

In addition to the Sea Kayak Level Guides Award there must be a further 30 sessions which equates to a minimum of 60 hours instructing a range of groups in sea kayaking in a variety of coastal locations and conditions.

Current First Aid Certificate.

#### 3. Skills and Experience.

The Sea Kayak Level 1 Instructor should be able to instruct any aspect of the Proficiency award and demonstrate the skills to a role model standard (refer Proficiency Award criteria)

## Sea Kayak Level 2 Instructor Award

### 1. Scope.

For those who lead expedition sea kayaking, train guides and instructors, and are capable of overseeing sea kayaking programmes within an organisation.

### 2. Pre-requisites.

Prior to the assessment, candidates are required to submit suitable evidence of the following:

Sea Kayak Guides and Level 1 Instructor Awards.

30 days personal experience, including multi-day trips in a variety of locations.

30 days leading expeditions

90 sessions of training guides/instructors.

Current Outdoor First Aid Certificate. (It is recommended that the Sea Kayak Instructor Level 2 obtain a P.H.E.C. certificate or equivalent.)

Coastguard Boatmasters Course.

### 3. Skills and Experience

The Sea Kayak Level 2 Instructor should be able:

Lead expedition kayaking;

Demonstrate competence in instruction, leadership and management of intermediate and advanced sea kayakers in exposed coastlines with limited landing options on multi-day (greater than 3 days) trips.

Train guides and instructors.

Teach the content of the Sea Kayak Guides and Level 1 Instructor Awards.

Role model sea kayaking proficiency skills.

Demonstrate the ability to analyse safety plans, understand the legislative requirements and make suitable recommendations to ensure the organisation meets its legal and moral obligations.

### Definition Notes:

For the purpose of this award:-

A personal and or guided sea kayaking day would normally be considered not less than six hours from start to finish.

An instruction session would normally be considered not less than two hours.

An instruction day would be normally equivalent to three instruction sessions.

An expedition is considered greater than three days, where exposed coastlines are encountered, with limited landing areas.

Lastly a huge thank you goes to everybody who has continued to input their thoughts, and to challenge this award structure and may the debates continue into the future.

**Andy Thompson**  
Dunedin

## SEA KAYAK Instructor Level 1 Assessment Dates for 2005

Location	Assessment Date	Closing Date
Auckland	20th February	20th January
	30th April	30th March
	12th November	12th October
Christchurch	26th February	26th January
	7th May	7th April
	12th November	12th October
Dunedin	26th February	26th January
	30th April	30th March
	12th November	12th October

## NZOIA Website Links

- have you got a **link** from the **NZOIA website to your website** ?

- **check** the categories at:  
[www.nzoia.org.nz/resources/links.asp](http://www.nzoia.org.nz/resources/links.asp)

- to **have your website link added**, email the NZOIA Administration Officer at: [ao@nzoia.org.nz](mailto:ao@nzoia.org.nz) with details.  
*(please note that this facility is only available to current NZOIA members)*

### Preliminary Decision in Favour of Mountain Bikes in National Parks

The New Zealand Conservation Authority has made a preliminary decision in favour of seasonal access for mountain bikes on selected tracks within National Parks.

This now goes to the Minister of Conservation for comment before it is (hopefully) signed and sealed in December.

It's important to note that this decision makes **NO IMMEDIATE CHANGE** to the status of bikes in National Parks. It is still not kosher to ride the Heaphy or any other National Park tracks.

Management Plans need to be modified to make any specific track legal for shared-use. This could take some time to work through.

## Executive Committee Profiles



**Chris Burtenshaw**  
(Lizzard)

Have been instructing for 13 years. Qualified as a secondary teacher in 1996. Ran the Adventure Leadership programme at Wenua Iiti in 1997.

Have worked as a freelance instructor since then (Lizzard Climbing). Work part time for Hiking NZ, Boyle River OEC, and CPIT. Assessing rock for NZOIA since 1997. Member of the NZOIA Exec since December 2000 and convenor of the TSC since March 2001. Keen to do another year on the Exec to see some projects out and train up somebody to take over from me. Please - any volunteers?

Other claims to fame: Lived in a van for 6 years. Was present for the famous Zippy V Possum incident of 1992, fire breathing and wax bombs. I've now bought a house in Christchurch and am starting a new business: Rockclimbing NZ ([www.rockclimbing.co.nz](http://www.rockclimbing.co.nz))



**Steve Milgate**

At the age of 9 I started "escaping" to the bush with a good friend of my parents' to avoid team sports.

However, it didn't take me too long to develop a real love for the NZ mountain environment.

Since then I've been escaping with a pair of boots or running shoes or kayak any chance I can get!

Spent a couple of years working full time as an outdoor instructor, but found burnout an ever present threat. So, I now attempt to balance my life by running my outdoor instruction business and also spending time talking to food sector businesses about environmental chemistry issues.

I've served on the exec for the past 5 years, focusing mainly on developing our relationship with other organisations in the outdoor ed sector and currently hold awards in alpine, kayak and outdoor safety management.

## Congratulations

to the following members who recently gained NZOIA Awards

### Alpine 1

Thomas Arnold  
Matt Ballantine  
David Bolger  
Hamish Fairbairn  
Rupert Gardiner  
Blake Hanna  
Guy Johnstone  
Robert Knox  
Caroline Maclaurin  
Nicci Mardle  
Kevin O'Donnell  
Tara Phillips  
Hamis Reid  
Jon Rowe  
Paul Stevens

### Alpine 2

Hisashi Nukada

### Bush 1

Darren Ashmore  
Matthew Ballantine  
Sarah English  
Jennifer Grange  
James Hutton  
James McIntyre  
Shaun Murdoch  
Nicholas Scott  
Matthew Shearer  
Kiritote Thompson  
Rebecca Wylie

### Bush 2

Jon Lasenby  
Dave Moore  
Tom Speers  
Graeme Swift  
Chris Wynn

### Kayak Flatwater

Richard Clark  
James Hutton  
Shaun Murdoch

### Kayak Flatwater (cont.)

Kirsty Prewer  
Warwick Prewer  
Nicholas Scott  
Matthew Shearer  
Kiritote Thompson  
Harriet Walsh  
Camilla White  
Darrin Worsfold  
Rebecca Wylie

### Rock 1

Sheree Brown  
Jeremy Campbell  
Nicholas Chater  
James Dempster  
Jason Dickens  
Sarah Edwards  
Sarah English  
Luke Faed  
Daniel Franks  
Jennifer Grange  
Vaughan Jones  
Troy Mattingley  
Daniel Nicolson  
Brodie Ridler  
Abby Sheard  
Mark Smith  
Eve Thomas  
Paddy Watson  
Murray Welsh

### Sea Kayak 2

Carl Ahradsen  
Ray Button  
Paul Chaplow  
Steve Chapman  
Chris Gully  
John Kirk-Anderson  
Dave Mangnall  
Andy Thompson  
Sean Waters  
Gareth Wheeler



Ex-President (c) delivering freshly baked bread to hard working Rock Assessors Marcus Waters (l) & Don Paterson (r) at a recent Rock Assessment.

# Tech Notes

## Realising the Institutional Abseil:

by Simon Middlemass NZOIA Member and Assessor

I have long had a problem with the traditional set up of the Institutional Abseil (or Rappel). Why? - because it digresses to much from reality. It is the use of a single abseil line that bothers me since when you abseil in anger it just doesn't look like this. I'm pretty lazy and always trying to avoid long periods of over-explanation. Such as why it looks like this in one situation but not in 'reality' and then having to unlearn people.

Solution: Very simple

1. Tie your multi point anchor as usual producing two offset loops. On one of those put your safety line as usual ie Italian hitch on a Pear 'biner.
2. *To meet the institutional need to be able to release/ lower the abseil line if something goes wrong we do the following:*

*Insert a releasable line between the anchor system and the abseil line. So, attach another Italian Hitch to a 'biner on the second end loop and tie it off. Leave enough to attach the end to the abseil line. This link rope may be either a separate rope or the other end of the safety line (site dependent).*

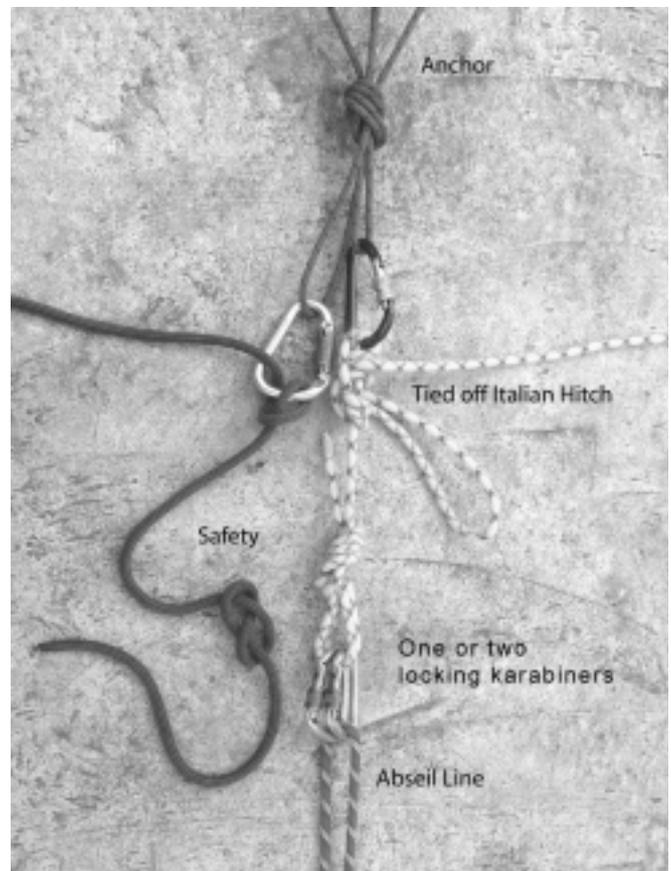
### 3. Change the rappel rope set up.

I halve my rap rope or join two if it is a big rap as we would do ourselves. This is reality – rapping on two strands.

The abseil line can be attached to this with a knot (a Sheet Bend is good) or one or two locking 'biners if you want to pull it down (as we would in reality). If you are going to attach using 'biners a double Fig.8 on a bight is good knot here. Keep it all close to the tied off Italian Hitch.

4. Rap on a real rope – ie a dynamic, nice soft and easier for students to hold and feed through the ATC. At least if you must use a static get a skinnier one than traditional "cable" diameter ones. Pad any wear areas as there will be more due to the greater stretch of the dynamic rope.
5. Throw away Figure 8's. We don't use these out in the real climbing world.

6. Get people to tie in – not clip them in. It might be slower but that way they practice and reinforce their learning and get into the realization that we generally tie into the end of the rope (not clip in) when climbing. I have seen people leading with the rope clipped to their harness because that was all they knew (scary!!).
7. Check your system and see if it meets all the usual safety criteria should any shit hit the fan later.



### Contributions to the NZOIA Quarterly

The *NZOIA Quarterly* welcomes articles, photos, letters, news, details of coming events and bits and pieces from all readers. Submissions may be edited.

Please forward all items to:  
Administration Officer PO Box 11-325  
Manners St Wellington  
or by email to: [ao@nzoi.org.nz](mailto:ao@nzoi.org.nz)

# Risk and Recreation

*This article was originally written for the NZ Recreational Canoeing Association (see their website at [www.rivers.org.nz](http://www.rivers.org.nz)) by Tony Ward-Holmes. Thanks to Brett Whiteley, Graham Charles, Pip Lynch and Dave Moore for input. Brett Whiteley would like to thank NZRCA for the support he has received during this time, particularly Janet Nicol and Robin Rutter-Baumann.*

In January 2002, Tim Jamieson, a student on an instructed Tai Poutini Polytechnic trip, was drowned after pinning on a log in Rodeo rapid on the Lyell Creek section of the Buller. The MSA have jurisdiction for all accidents involving water-borne craft, including kayaks on rivers, and so investigated the accident using one of their usual marine accident investigators. One of the conclusions of the resulting report was that one of the instructors that day, Brett Whiteley, should be "severely censured". The Police opened a case investigating laying charges of criminal nuisance against Brett, who instructed the group in which Tim was paddling, and against Peter Kettering who was the chief instructor that day. This case was open for two and a half years, however after expert opinion was sought overseas the Police decided that no charges would be laid.

Currently a Coroners Inquest is being conducted in Nelson. The inquest has been very positive for many involved and has helped to resolve some misconceptions. The media has painted the inquest in a very different light however, with the Nelson Mail and other newspapers around the country leading with a headline of "*Instructors close ranks after kayak death*" and printing sensational but unsubstantiated quotes such as "*No one had been willing to speak to police about the accident for fear it would jeopardise their livelihood*"

Nothing of the sort occurred. In fact the Police approached a few organisations, including the NZRCA, for advice on who they should employ to review the MSA report and the evidence against Brett and Peter. The advice of NZRCA safety officer Glenn Murdoch was that there was probably no such person in New Zealand due to conflicts of interest, and that they should look offshore. The police eventually found two highly qualified expert witnesses, Marcus Bailey (Head inspector of the UK Adventure Activities Licensing Authority) and Charlie Warlbridge (a director and former safety officer for the American Whitewater Affiliation).

Accidents such as this are always tragic for all participants, family and friends, however this particular accident has been responsible for considerable controversy in the kayaking and instruction worlds.

This article will not delve into many of the details of the accident. They have been considered elsewhere, and the jury is no longer out, in fact it was not summonsed at all. There are wider issues that still need discussing, however, such as the role of the MSA in the accident, and the liability of people recreating in the outdoors.

## Role of the MSA

Subsequent events have proven the MSA report to be seriously flawed. Both overseas experts employed by the Police strongly disagreed with the findings of the MSA report. The report was not useful in its recommendations to avoid future such accidents, and was arguably irresponsible in its opinions and recommendations.

**NZOIA instructor Graham Charles** was employed as a consultant for this report by the MSA but was allowed little input by the investigator in this instance and disagreed with many of the recommendations. On the question of culpability, Graham agreed that Brett had made an error of judgement and that he should be censured. However Graham commented: "*..we hadn't found any grounds for negligence or any other 'criminal' thing...*". *Brett was to be censured by his representative body – NZOIA and that was it – no more*". This critical distinction did not appear in the published report.

**NZRCA** are extremely disappointed by the investigator's attitude to expert advice as we have spent years attempting to convince MSA that whitewater qualifications are required to investigate a whitewater accident. They certainly would not appoint a kayak instructor to investigate an oil tanker spillage. A chronic problem with the MSA is that they have jurisdiction over whitewater kayaking, yet they have no knowledge of the subject, and often refuse to seek any. This has led to the current trifecta of fiascos: Rule 91 still effectively makes whitewater paddling illegal through its buoyancy aid and navigation provisions; MSA have been pressuring EBOP (Environment Bay of Plenty) to remove not only Rock A but Rock B as well from the Rangitaiki River; and the police case against Brett Whiteley and Peter Kettering.

Progress has been made on the investigator front at least, as NZOIA assessor Ian Logie has been employed for the last two whitewater accident reports, ie: the drownings on the Waikaia and the Crooked. Our last communication from MSA is that while they will endeavour to use experts in future cases they can not guarantee to do so due to budget constraints.

## Liability in the Outdoors

The MSA report assumes an instructor has absolute responsibility for a student, and that if an accident happens, it must therefore be the instructor's fault. On this point one of the overseas experts, Marcus Bailey, made the following comments: "*Tim was well into the strange transitional phase between being a student*

*and being a leader which exists with leader training. One can not expect to stop being a guided and instructed student one day and become an aware self reliant leader the next"*

Marcus's comments illustrate the paradox nicely.. how can you instruct in a risky environment, without the students being exposed to risk? And how much risk should you attempt to remove, if the students are themselves going on to become instructors, or even just paddle in a non-instructed environment where they must make their own decisions?

It is not a black and white issue. At one extreme might be something like the sinking of a commercial jet boat, where the operator has not ensured all clients are wearing life jackets and one such client drowns. Maritime law would be broken in such a case, and criminal nuisance may not be the most serious charge faced.

At another extreme is the likes of guiding Mt Everest. If Rob Hall had survived and Doug Hansen died in 1996, would Rob Hall have been prosecuted for criminal nuisance? Possibly a moot question as it was not in NZ jurisdiction. How about any of the three guides in the avalanche on Mt Tasman, had they survived? Most people would say not. You can not expect to recreate in the outdoors without accepting some level of risk. If you want to avoid that risk, you can stay home.

Paddling is generally not as dangerous as mountaineering, however risk is still inherent to the activity. In his comments on the MSA report, Charlie Warlbridge wrote: *"Whitewater rivers are natural features of the landscape, not engineered thrill rides. They contain many hazards, both obvious and unseen. These dangers can never be fully catalogued"*.

Authorities need to recognise that many outdoors activities are inherently risky, and that *"Not taking reasonable care to prevent a foreseeable harm to a person"* (which is how Standards NZ defines negligence in their draft Risk Management Guide) is an inappropriate definition of negligence in many contexts, such as whitewater paddling. Currently the wording of the criminal nuisance law is too harsh for situations where the participants voluntarily engage in activities that are inherently risky. Organisations such as the Police, MSA, OSH, Coroners and the Government need to understand this. Fortunately this case did not get to court but the process still took two and half years to resolve and was at considerable cost to those involved.

Arguably mistakes were made in the Buller incident, both beforehand and on the day. Instructors, organisers and the like are human and make human mistakes. In this case, expert opinion was that any mistakes that may have occurred did not constitute criminal negligence; they were simply oversights, error of judgements, such as happens to all of us in paddling but which we are normally lucky enough to get away with.

Marcus Bailie concluded *"I strongly disagree with the recommendation that Brett be severely censured for his failure to scout the rapid carefully beforehand and for failing to lead the students down the rapid. If this is seen as a serious fault then New Zealand either will not have a future generation of white water leaders and guides, or worse, the new generation of leaders will have no experience of leading."*

### Relevance to Clubs and Individual Paddlers

So far most of the discussion has been relevant to professional instruction. The NZRCA represents many clubs and individual paddlers throughout the country. Many instructors happen to be members, however the NZRCA does not directly represent instructor's interests. So is this case relevant to canoe clubs, trip leaders and volunteer instructors?

According to advice to us from SPARC (Sports and Recreation NZ), if a club or person takes any money from trip participants, eg: gear hireage, paying a club instructor's petrol money, then money has changed hands and so the same rules apply as for any commercial enterprise. Their solution is to advise that you document all possible hazards, and all possible responses to the hazards, and to document your documentation in case someone wants to investigate you.

What most of the NZRCA executive think of SPARC's advice is not printable. Fortunately this case indicates that the level of care expected by law does vary with the situation. It is true of course there is a duty of care involved. Club instructors and trip leaders do need to take all reasonable steps to prevent harm, but their liability if things go wrong will depend on the circumstances and participants.

### A Natural Hazard?

In an earlier version of this article published in the NZRCA newsletter, I stated that the log in Rodeo was not a natural hazard, and that it had been placed there by ransit NZ. I had heard this from several people and thought I had adequately verified the point but apparently not.

Transit NZ testified in the coroners inquest that they had did not place it there, and it turns out they did not manage to get a digger across the river until 3 years ago, which is after the log first came to light.

This illustrates the danger of assumptions... this widely circulated rumour is wrong, as is the assumption by many paddlers that the log was widely known about. In fact it was well known in only limited circles of Buller regulars, and many other people have had close encounters with the hazard.

## Where to from here?

### *In terms of the accident itself:*

- In this specific case the hazard was hidden, only rarely exposed and not well known. Rodeo is not a rapid people would normally scout. Arguably, knowledge of this hazard should have been better communicated amongst all paddlers, including private paddlers as well as instructors. If you notice an unusual hazard such as this, take note of it for your future trips and consider warning others, eg: by posting to the rivers website forum.

### **Other actions which can reduce the risk of accidents in general include:**

- Check the NZRCA website for river hazards.. go to [www.rivers.org.nz](http://www.rivers.org.nz) and click on the "Access, Touring and Hazards" forum. While NZRCA agrees with Charlie Warlbridge's comment on it being impossible to catalogue all hazards, it is a good idea to check if someone has found a hazard significant enough to warn people about.
- Take a safety and/or rescue course. Courses are not just about rescue, they teach you to think about rescue scenarios when you're paddling. Prevention is better than cure. Next time you are assessing if you should run that difficult line, and thinking about where you might end up if you blow it, also think about how people can help you. If they can't get to you, and you're not 99% (or whatever) confident of getting it right, maybe you should wait another day.
- Remember, paddling means risk. Risk is a numbers game. Treat it as such.. don't ask yourself "will I or won't I make the move?" That is too black and white. Instead ask yourself how many times out of 100 you will make it. And how many times out of 100 you'll survive if you don't. Then decide whether to scout, run, or walk that rapid.

### *In terms of liability:*

- While the NZRCA believes the procedures recommended by SPARC are too bureaucratic for most clubs, it is worth thinking about some kind of operations manual for club trips, instruction courses and events.

The objective should not be to provide for accident investigators though. The objective is to identify all measures which reasonably would need to be taken to fulfill your duty of care.

- Clubs could think about waivers. While waivers do not serve to absolve you from liability and clubs should not attempt to use them as such, a well worded waiver may help educate new members of the inherent risks of paddling.

- The Buller case only *indicated* that the duty of care will vary with circumstances, because it was never tested in court.

However the recent quashing of Astrid Andersen's conviction for criminal nuisance (in the 'Le Race' Christchurch to Akaroa cycling event) has now created a precedent in case law. The appeal judgement concluded that "*criminal liability rests in concepts of recklessness rather than negligence, at least where section 145 of the Crimes Act is invoked*".

This effectively raises the bar for a criminal nuisance conviction out of the realm of a simple error in judgement... very good news for all organisers, instructors and guides in the outdoors.

## Risk and Recreation

**Tony Ward-Holmes is the editor of the NZRCA publication 'New Zealand Canoeing'**, in which the above article was originally published. While he has endeavoured to verify information for the article, some matters are still debateable. There is widespread interest in this accident and NZOIA will be providing more information, including the findings of our own investigation, after the Coroner has released his findings.

We welcome correspondence on this issue.



# Instructors

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Outward Bound New Zealand offers you the opportunity to combine your passion for people, learning and the outdoors into one unique job. We are looking for some exceptional candidates to join our instructing team in 2005. Our ideal instructor will:

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Information and application forms can be found on our website, [www.outwardbound.co.nz](http://www.outwardbound.co.nz) or from David Mangusell, Training Manager, Outward Bound New Zealand, Private Bag 403, Picton 7372. Ph: 03 574 2018 or email: [dsmangus@outwardbound.co.nz](mailto:dsmangus@outwardbound.co.nz)

Outward Bound

# Wiggers World - 2004

**The questions often posed to elderstates-persons of the outdoor world vary from “what’s been the pinnacle of your career?” to “when the hell are you going to give up?”.**

Well some of these antiquities recently returned from Borneo and cunningly invited a younger team member along to try to balance the age ledger.

When did this all start? Mick had done a bunch of rigging on adventure type races for years and 4 yrs. ago went to China as head of rigging for the International Management Group, who were organising a 4 day adventure race. After that experience, he decided to form a wiggling team from NZ who he could trust for the new venture in Borneo.

Naturally old farts were the key to the make up of such a high powered requirement. And so it was that 3yrs ago Mick press-ganged Van & Ray into the team. We noted our limitations (which are not for public viewing) and got young Dean to join us for the last two years. Also in the mix was Dave who wore the mantle of Water Safety and so the Kiwi/NZOIA connection grew.

The Kiwi blokes looked forward to kipping under fly’s and sharing night sentry duty to fend off rabid crazed dogs. But no, we had to endure the Nexus Resort a 5 star hotel with its own beach, stunning golf course and all that other stuff which was of absolutely no interest to us. You must understand as part of our contract we were expected to bear this luxurious obscenity.

One thing we were proud of was our sensitivity to the political qualms of a corporate run event. In our 3<sup>rd</sup> year as a team, we suspected we had made some sort of impression in this high-pressure structure. Part of our success was our ability to always be late for meetings and make notable entrances, in oiled stained clothes and naturally perfumed footwear.

No matter what torturous tasks had been endured, we were extraordinarily disciplined in having a daily meeting in the wigger’s room with white board to dissect the day’s complex events. This was always accompanied by Oranjeboom’s (Dutch beer) to lubricate proceedings. One upsetting accusation was our daily debriefs were just a cover to imbibe in alcohol.

Each year we have rigged abseil sites on the summit plateau of Mt. Kinabalu at various spectacular venues. This years was at the Donkeys Ears at about 3900m., the competitors had strict instructions to prod the riggers to check they were awake. Other projects included a suspended obstacle course under a road bridge, flying foxes across rivers and so on.

This year’s finale was particularly impressive. Some how permission was given to abseil off a 32-storey 379ft cigar shaped building, an important symbol of Sabah, the Borneo province we were based in. It housed ministerial bureaucrats, who could see the whole activity through the totally glass building. Once the athletes had dipped red-hot descenders into water, they sprinted the 100m to the finish of 4 days of oppressive equatorial heat.



The highest building in Sabah, Mustapha Tower, scene of the final leg of the Outdoor Quest race on day 5.  
The poor devils had to rap down it.

The biggest challenge on the tower project was finding Dean after he had set off into the lifts or stairwells. To be fair it was confusing for a wigger. Us older chaps always stuck together in case.

This year seemed to be the most successful yet, to estimate the value of the wiggers contribution is ....well,....um....we couldn’t possibly comment.

Each year after the race Van has disappeared to Sarawak a Province SW of Sabah and still in Borneo. He talked of world class caves and bats.

How could we refuse, so Mick, Dave & Ray joined Van to visit Mulu a world heritage park. There are some 164km of caves on a huge scale.

The famous bats, 3 million of them swarm out of Deer Cave at twilight in-groups, corkscrewing their way sky wards trying to avoid the awaiting hawks. Deer Cave is 125m high and 125m across, enough to swallow up the 32-storey tower we were abseiling off a few days before.

Dave & Ray are not committed caver's but were pretty gob smacked by the trip through Wind Cave and Clearwater. The torch beams struggled to light up the roof miles above us, with only 3 squeezes this 4-5km trip was more of a subterranean tramp.

So next time you risk asking a outdoors dinosaur what they did in the war, be prepared to be Bore.-neeed off your tree, so to speak.

**Wigging Team**

- Mick Hopkinson**                      **Van Watson**
- Ray Button**                              **Dean Arthur**
- Honoury Wigger – Pam Weiss**
- Water Safety – Dave Ritchie**

**Compiled by Ray Button**  
*NZOIA Member & Assessor*



The Gallows built by your very own NZOIA team to facilitate said abseil. The team in the photo are IRULE team New Zealand who won the race and \$64000 US!

# TERROR ON MT TARANAKI

**WARNING CAUTION**

- Killer vegetation**                      **Flesh eating slugs**
- Loitering rockslides**

Would we survive our Labour Weekend tramp around Mt Taranaki. A daily diet of caution and terror seemed to be the standard.

Our 6 bunk hut had no less than 8 danger signs including 'Fire Exit' over the one and only door. Track closed signs (at least 4). Then, the most feared of all 'Caution – Track Maintenance' – when we were confronted first by an elderly gentleman wielding a wooden rake, and then Ian McAlpine wielding a weed eater.

Actually that was fortuitous as it gave us the chance to deliver Mac's NZOIA Thermal Mug for long term membership! He was impressed.

Huge aluminium ladders (see below) have become the standard – we climbed at least 6 of these. Certainly low maintenance, but what a blot on the landscape.

These signs took away any initiative about being responsible for our own safety, we have never felt so over warned. Heck the outdoors is a dangerous place if you believe everything you read.

We reckon some signs are missing:

- "Track may flood during rain"
- "Feet will get wet during stream crossing"
- "Snorers in the hut may keep you awake"
- "You'll fall into the creek if you don't hang on to this handrail"



In fact the irony of it all was that there was no sign on the most dangerous bit where, during heavy rain, a waterfall had made the track impassable and we had to downclimb it to get across and back up.

Interestingly, in two weeks trekking in the Dolomites (Northern Italy) we saw only one sign which told us that the path ahead was dangerous as it had slipped away on a 1,000m drop!

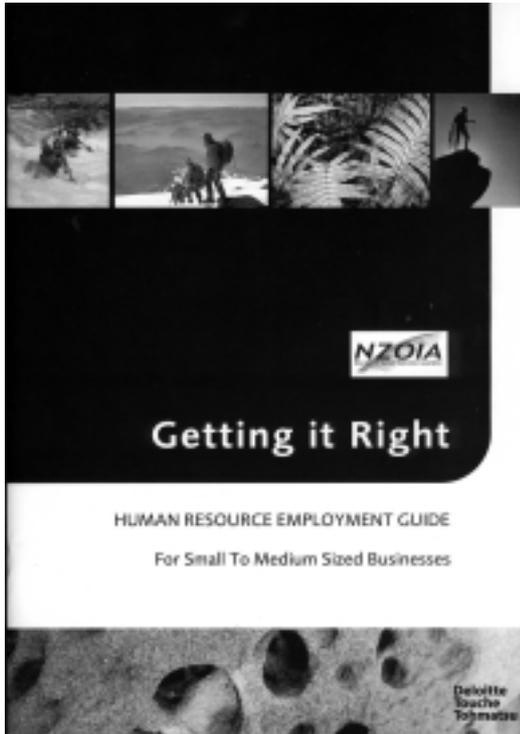
**Jill Dalton**  
**and**  
**Jim Hepburn**

**AVAILABLE FROM THE NZOIA WEBSITE**  
 ~ via the publications page



~ the NZOIA Thermal Mug

# ITEMS available from NZOIA



## “GETTING IT RIGHT”

This is a Human Resource Guide for small to medium sized employers - a NZOIA resource written by Marcus Waters of Deloitte Touche Tohmatsu.

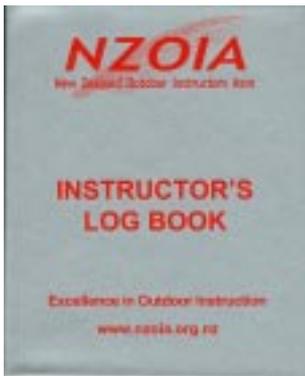
This manual has been written for **employers in the outdoor industry**, employers such as adventure tourism providers, outdoor education providers, guiding and trekking companies. The information is structured for the busy employer who is grappling with taking on their first employees or for the small company that employs a few staff, most of them seasonally.

Contents include chapters on recruitment and selection of employees, employment agreements, performance management and leadership, induction and training, remuneration and rewards, health and safety, and much more.

By providing quality information through this employer resource, NZOIA hopes to continue to add value to businesses and help ensure a safe and healthy outdoor industry.

Priced at \$30 for members (\$50 non members) (Inc. P&P)  
 Order: *via the NZOIA website ~ [www.nzoia.org.nz](http://www.nzoia.org.nz)*  
 or: *from the NZOIA Office, PO Box 11-090 Wellington*

## NZOIA Logbooks



The format is an A5 plastic ring-binder (with the standard 2 ring).

Members - \$21,  
 Non-members - \$24  
 5 or more copies - \$19  
 (Inc. P & P)

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*or from the NZOIA Office*  
*PO Box 11-090 Wellington*



## NZOIA Information Brochure

~ **outlining NZOIA the aims and activities, including the Award Scheme.**

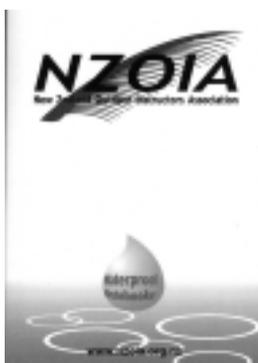
email: [ao@nzoia.org.nz](mailto:ao@nzoia.org.nz),  
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## Kayaking is Life ~ a FREE Beginners Guide to Kayaking

email: [ao@nzoia.org.nz](mailto:ao@nzoia.org.nz),  
 for a supply.

## NZOIA Assessment Calendar for 2005

Course & Location	COURSE DATE	Closing Date	Course & Location	COURSE DATE	Closing Date
<b>Kayak FW</b> Christchurch	November 5-6	October 5	<b>Rock 1</b> Christchurch	February 12-13	January 12
<b>Kayak 1</b> Murchison	February 26-28	January 26	Central North Is	March 5-6	February 5
Central North Is	March 18-20	February 18	Christchurch	March 26-27	February 26
Murchison	April 8-10	March 8	Auckland	May 26-27	April 26
Christchurch	November 7-9	October 7	Christchurch	June 16-17	May 16
Central North Is	November 23-25	October 23	Christchurch	October 26-27	September 26
<b>Kayak 2</b> Central North Is.	March 26-28	February 26	Dunedin	November 12-13	October 12
Murchison	April 8-10	March 8	Central North Is	November 26-27	October 26
<b>Canoe</b> South Island	December 10-11	November 10	Auckland	December 1-2	November 1
<b>Abseil 1</b> Auckland	December 3-4	November 3	<b>Rock 2</b> Christchurch	March 12-14	February 12
<b>Climbing Wall</b>	On request		~ to be advised	January 2006	December 2005
<b>Cave 1</b>	On request		<b>Bush 1</b> South Island	May 9-11	April 9
<b>Cave 2</b>	On request		Central North Is	May 13-14	April 13
<b>Sea Kayak 1</b> Auckland ~ Christchurch ~ Dunedin ~ see page 5 for assessment dates.			South Island	October 29-31	September 29
			South Island	November 2-4	October 2
			Central North Is	November 19-21	October 19
			<b>Bush 2</b> South Island	March 26-28	February 26
			<b>Alpine 1</b> South Island	September 3-5	August 3
			North Island	September 16-18	August 16
			South Island	October 15-17	September 15
			<b>Alpine 2</b> North Island	September 10-13	August 13

NOTE: PLEASE check the NZOIA website for additional assessments that may have been scheduled since the publication of this Quarterly.

The current Assessment Calendar is on the NZOIA website at:  
[http://www.nzoia.org.nz/qualifications/assessment\\_calendar.asp](http://www.nzoia.org.nz/qualifications/assessment_calendar.asp)

## Booking for a NZOIA Assessment

**Booking Routine** - You must have completed the prerequisites before applying for assessment; check the syllabus - they are all available on the NZOIA website at: [www.nzoia.org.nz](http://www.nzoia.org.nz). You must also be a current member of NZOIA as at the date of the assessment. To apply for a place on an assessment, obtain an assessment application form from the website (or the administration officer) and forward it to NZOIA by the closing date with:

- a \$100 deposit;
- a **copy** of your log;
- a **copy** of your current first-aid certificate, (and the application form).

APPLICATIONS normally close one month before the assessment date.

We allocate places on assessment courses a on first-in, with deposit, first-accepted basis. After the closing date, we will send you confirmation of your booking. You must pay the balance of the course fee before the assessment. If we cancel the course, we will refund all fees.

The deposit will be refunded in full if you withdraw from a course four weeks or more before the course start, (or you can transfer this to another course). Deposits will not be refunded where the withdrawal is within four weeks of the course, but may be transferred to another course. Where a withdrawal occurs within two weeks of the course 50% of the course fee will be charged.

Course fees:	Two day	- \$370
	Three day	- \$495
	Four day	- \$640

**Assessment by special arrangement** - It is possible to arrange assessments on dates other than those scheduled (generally subject to the availability of assessors). Contact the Assessment Co-ordinator (email - [assessment@nzoia.org.nz](mailto:assessment@nzoia.org.nz)) or Steve Scott, telephone 04-385 6048.

**If you are wishing to participate in an assessment on a particular date, don't be disappointed - please secure your place early - don't delay in forwarding your deposit.**

## NZOIA Cave 1 & 2 and Climbing Wall Assessments

These assessments are conducted "on request". If you are interested in participating in one of these assessments, please contact the NZOIA Administration Officer at: [ao@nzoia.org.nz](mailto:ao@nzoia.org.nz). When we have sufficient interested persons, we will organise an assessment.

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