

THE SEA CANOEIST NEWSLETTER

Issue 65

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INDEX

EDITORIAL	p. 1
LETTERS TO THE EDITOR	
Lake Tarawera Collision	
by Ray Forsyth	p. 2
Collision Avoidance by	
Peter Clark	p. 2
Port Pegasus - info required	p. 2
RUBBER HATCH COVERS	
by P. Caffyn	p. 2
Kayak for sale	p. 2
NZ SEA KAYAK listing	
compiled by Sandy Ferguson	p. 3
LYME BAY TRAGEDY	
and CRIMINAL LAW	
by Dr. Roger Geary	p. 4
SEA KAYAK GUIDES COURSE	
by John Kirk-Anderson	p. 6
NATIONAL BODY AFFILIATION	
by P. Caffyn	p. 7

EDITORIAL

Apologies for the late printing of this newsletter. Work and wave skiing to blame!

Two articles are reproduced from other newsletters, the first from the ISKA Newsletter which discusses the outcome of the English Lyme Bay tragedy and the significance of criminal law. The article by a lecturer in criminal law would have been perhaps more pertinent reproduced in the SKOANZ Newsletter however as most of us teach/instruct/guide lesser experienced paddlers at some stage, it is worth reading. Following on is an account by John Kirk-Anderson on the trials and tribulations of instructor assessment, which is encouraging in that it shows SKOANZ is taking a proactive role in maintaining high standards with guide/instructor training and certification.

At the KASK 1996 AGM, a motion was passed to investigate the benefits and pitfalls of KASK joining or affiliating to a national body such as Federated Mountain Clubs, NZ Canoe Federation and the NZ Water Safety Council. Peter Sullivan Gyn Dickson, and Paul Caffyn were to investigate, and a summary of results is discussed.

KASK HANDBOOK

Work on editing and amending the 'mother of all handbooks' is continuing, with a launch date at Anzac Day weekend at the KASK Forum in Wellington. The chapter on navigation was completed. Feedback is still awaited from the Maritime Safety Authority.

Copies of the Handbook, the second printing with the sketches, are still available from Peter Sullivan.

COLLISION AVOIDANCE

Ray Forsyth has some sound, practical advice on a last ditch procedure in the event of a collision with a power boat. Capsizing the kayak when all else fails is a logical move, and something that both Glyn Dickson and myself failed to mention in our advice on collision avoidance.

During the 1980 Round Britain trip, Nigel Denis and I had a cunning plan for dealing with the cross channel hovercraft that approach the port of Dover at speeds of 40 knots. If one was on a collision path, with no chance of escape, our cunning plan was to capsize and let the hovercraft pass over the kayak hull. Then some bright spark said what if the skipper sees you at the last moment and comes to a stop on top of you. Difficult question to answer that!

The potential for collisions between powered vessels and kayaks must be increasing, with more boats on the water. The recent Bay of Islands fatality of a teacher in a dinghy struck by a high speed tourist catamaran, highlights the problem of visibility of smaller objects in the water being seen by a skipper in a fast moving launch.

For areas such as the Bay of Islands, with increasing tourist launch traffic, it is imperative for paddlers say aiming to paddle through the Percy Island to suss out the routes of commercial traffic and also if there is regular timetable for the traffic. In 1979 I was nearly mown down by a tourist launch when emerging from the shadows of the tunnel through Percy Island. Sound collision avoidance for paddlers is keeping well clear of high density boating lanes.

Best wishes for the Festive Season and safe paddling. To conclude, a quote from the ANorAK Newsletter V.14. No 5:

Safety is not defined as merely knowing how to roll up if a capsize should occur. Knowing how to avoid trouble is as important as knowing what to do if trouble occurs. The elements of avoiding trouble, of learning to paddle in varying weather conditions and of dealing with problems when they arise may be thought of as layers of protection which are all necessary for safe paddling. The challenges you accept and risks that you take must be in proportion to the thoroughness with which you have mastered the skills that will serve you on the sea.

Chuck Sutherland

LETTERSTOTHEEDITOR

Lake Tarawera Collision

Re the Lake Tarawera Collision in June, I understood that probably the best manoeuvre for a kayaker faced with an imminent collision is to roll under. This exposes the hull of the kayak to the hull of the launch and its propeller - at it is possible that because of the shape of the hulls of both craft, the blow will be glancing rather than 'full on'.

Whether the kayaker can do a full roll is immaterial; his/her body will be well below the waterline and head especially is below the depth of the propeller of most high speed launches.

Ray Forsyth

More on Collision Avoidance

from Peter Clark, secretary of 'Paddlers International'

Many thanks for continuing to send the 'Sea Canoeist Newsletter. I noted in the last issue the advice you offer sea kayakers/canoists when confronted with an approaching power boat. We have a major problem in the UK with large twin hulled ferries plying between UK and Eire. Their wash has a catastrophic effect long after the vessel has passed, and several small boats, not only kayakers, have been caught unawares.

Anyway, I digress somewhat. A close friend and I worked out the following procedure when crossing the Solent - sound between the Isle of Wight and the southern mainland coast - when we sight a vessel approaching, and it is obvious we are not going to make it safely across their bows, we alter course heading towards their stern. We never stop paddling, as being so low in the water, kayakers are rarely seen, until avoidance is more or less impossible. The reason we keep paddling is that, the flash of water on the paddle blades is seen, providing there is a lookout. With regard to large container vessels, we keep well clear as it is very difficult to ascertain their true course. There is also the possibility that the kayak is unsighted - terrifying.

I hope you will allow me to reproduce your safety advice in the next issue of 'Paddlers World'. Maybe the more publicity that is given the subject, kayakers will eventually adopt it.

Kindest regards
Peter A Clark.

EDITORIAL COMMENT

Further to Peter Clark's letter with regard to larger vessels, container ships and tankers, I understand that such is the weight and momentum, when they are loaded, it can take up more than a mile for them to slow from full speed to a stop. They must be given a wide berth.

Port Pegasus Info Required

I am taking a sea kayaking trip to Port Pegasus, Stewart Island, in April 1997.

I recently joined KASK and enjoyed the last newsletter.

Do you know if there are any trip reports in the newsletter of the Port Pegasus area?

I would be grateful if you could forward these or suggest any contacts for knowledge of the area.

Bruce Newton
10 Hobson St.,
St Clair, Dunedin.

Can anyone paddled this area? One of the best contemporary books with history of Port Pegasus is John Hall-Jones 1994 book 'Stewart Island Explored' while the earlier reference book is Basil Howard's 'Rakiura', published in 1940, which contains a chapter on tin mining at Port Pegasus.

*Rubber Hatch Covers
Lengthening their Life*

For all owners of kayaks with the circular, black rubber hatch covers, I recently stumbled on a method for lengthening their life.

The early VCP hatch covers, were susceptible to UV light deterioration. Prolonged exposure to sunlight led to cracking and ultimately gross failure.

In Alaska this year, my VCP hatches had not been removed from the Nordkapp for four years. I struggled to remove the first one, and in

doing so, cracked the rubber. I then bought a spray pack bottle of Armor-All Protectant and liberally dosed all three hatches with the spray. The result was remarkable - hatches looking like new, a new lease of life to the flexibility of the rubber, and so much easier to slip on and off the hatch opening coamings.

Although primarily aimed at the car market, for treating vinyl dashboards to stop UV light deterioration, this stuff is magic. The label notes it 'guards against cracking and fading caused by the harsh effects of heat, ozone and ultraviolet rays.' For previously untreated surfaces, three applications are recommended. Leave penetrate for 30 minutes after the first and second applications. Leave the third application penetrate overnight and then wipe of the excess liquid.

Especially if you boat is stored outside, I strongly recommend a visit to the local service station, pick up a small plastic bottle of Amor-All and liberally dose the hatch covers.

Paul Caffyn

FORSALE

I have a Southern Lite touring double for sale.

Fibreglass, original condition.

Extras:

- two split paddles, carbon fibre shafts, glass blades
- 1 stainless steel collapsible trolley

- 1 neoprene sprayskirt
- 1 nylon sprayskirt
- 1 sail rig

Stuff Jeffs
19 Totara St
Wianuiomata.
Wellington.
Ph: 04 564 5809
Fax: 04 564 8474

Sea Kayaks in New Zealand

Sandy Ferguson

Sandy Ferguson has compiled a list of single and double sea kayaks commercially available in New Zealand, with addresses of manufacturers and retailers, also details of length, beam and weight.

Boats available in NZ. * means imported, (otherwise built here).

- Aerius I & II *, (Klepper), Auckland Canoe Centre
- Albatross, Deep Creek Kayaks
- Amaruk *, Topsport
- Arctic Raider, Sisson Industries
- Arluk III *, TopSport
- Arluk 1.8 *, Topsport
- Barracuda, Robinson Racing
- Breeze, Challenge Plastics
- Dobbe Double, New Zealand Canoe Co
- Dusky Bay II (double), Quality Kayaks
- Feathercraft KI, KII *, Teran Sports
- Gemini II (double), Norski
- Horizon, Quality Kayaks
- Kyook *, TopSport
- Looksha *, TopSport
- Narpa *, TopSport
- Nordkapp, Sisson Industries
- Pacific 17 (Mirage 17), Pacific Kayaks
- Pacific 19 (Mirage 19), Pacific Kayaks
- Puffin, Quality Kayaks
- Puysegur, Sisson Industries
- Sea Bear, Paddling Perfection
- Sea Bear II/Packhorse (double), Paddling Perfection
- Seahawk, Hawker Fibreglass (closed)
- Sea King, Norski
- Sea Quest, Challenge Plastics
- Seaward F, Norski
- Seayak *, Quality Kayaks
- Selkie (discontinued), Sisson Industries
- Skerray *, Quality Kayaks
- Slingshot, Paddling Perfection
- Solo, Solo Sea Kayaks
- Southern Aurora/Silver Fern, Quality Kayaks
- Southern Light (double), Sisson Industries
- Southern Skua/Blue Marlin, Quality Kayaks
- Storm *, Pacific Kayaks
- Tofino * (double), TopSport

Firm, Designer &/or owner/contact, Town, Phone

- Challenge Plastics, Alec Bell, Keri Keri,
Ph 9-407-8205
- Deep Creek Kayaks, Auckland,
Ph 9-473-6658
- Robinson Racing, Gordon Robinson, Auckland,
Ph 9-479-4839

- Norski, Nelson North, Blenheim,
Ph 3-578-7669
- Paddling Perfection, Ron Augustin/Glyn Dickson,
Auckland,
Ph 9-818-7241
- Quality Kayaks, Max Grant, Ashhurst,
Ph 6-326-8667
- Sisson Industries, Graeme Sisson, Nelson,
Ph 3-547-3053
- Solo Sea Kayaks, Rob Tipa, Dunedin,
Ph 3-478-0360
- The New Zealand Canoe Co, John Dobbe, Nelson,
Ph 3-543-2049
- TopSport, Brian Lodge/Richard, Christchurch,
Ph 3-379-2036

Aerius I *	4.5	0.72	27 kg
Aerius II *	5.2	0.87	32 kg
Albatross	5.4	0.565	22 kg
Amaruk *	5.8	0.74	38 kg
Arctic Raider	5.32	0.545	24 kg
Arluk III *	5.63	0.6	24 kg
Arluk 1.8	5.52	0.54	23 kg
Barracuda	5.8	0.53	20 kg
Breeze	4.5	0.6	23 kg
Dobbe Double	6.1	0.81	54 kg
Dusky Bay II	6.25	0.8	43 kg
Feathercraft KI *	4.85	0.64	25 kg
Feathercraft KII *	5.87	0.84	39 kg
Gemini II	6.39	0.82	40 kg
Horizon	5.0	0.6	23 kg
Khatsalano	5.4	0.56	19.5 kg
Kyook Plus *	4.57	0.63	27 kg
Looksha *	5.2	0.56	25 kg
Narpa *	5.0	0.6	27 kg
Nordkapp	5.2	0.53	20 kg
Pacific 17	5.2	0.58	19 kg
Pacific 19	5.8	0.61	24 kg
Puffin	4.95	0.61	31 kg
Puysegur	4.6	0.62	20 kg
Sea Bear	5.5	0.60	25 kg
S.B.II/Packhorse	5.9	0.85	
Seahawk	5.5	0.585	20 kg
Sea King	5.23	0.55	20 kg
Sea Quest	5.2	0.6	30 kg
Seaward F	5.5	0.63	25 kg
Seayak *	4.9	0.6	24 kg
Selkie	5.03	0.6	24 kg
Skerray *	5.18	0.58	23.5 kg
Slingshot	5.65	0.47	20 kg
Solo,	5.2	0.53	20 kg
Southern Aurora	5.0	0.61	22 kg
Southern Light	6.3	0.89	46 kg
Southern Light (short)	5.9		
Southern Skua	5.4	0.6	23 kg
Storm	5.18	0.61	29 kg
Tofino *	6.17	0.80	43 kg

The Lyme Bay Sea Kayaking Tragedy and the Criminal Law

The International Sea Kayaking Association Newsletter 12, November 1996, contains a lengthy and meaty article by Dr. Roger Geary on the Lyme Bay Tragedy and the criminal law. Roger is the principal lecturer in criminal law and the Swansea Institute of Higher Learning in the UK.

Although the article relates to the UK law system, I have reproduced some of the more salient points raised, as I would assume the NZ law system would not be too dissimilar from that of the UK and the ramifications for all those schools, polytechs, colleges, guiding outfits and instruction courses would be equally applicable in New Zealand.

In December 1994 the managing director of an activity centre responsible for a canoeing (sea kayaking) disaster in Lyme Bay which resulted in the deaths of four teenagers was found guilty of manslaughter and sentenced to three years imprisonment. In addition, the company which ran the St. Albans Centre, OLL Limited, formerly Active Leasing and Leisure Limited, was found guilty of corporate manslaughter and fined a total of 60,000 pounds. A third defendant, the centre manager, was acquitted on the direction of the judge after the jury at Winchester Crown Court failed to reach a verdict having deliberated for nine and a half hours. The decision made legal history in that OLL Ltd. is thought to be the first company in Britain ever to be found guilty of manslaughter. It is, however, unlikely to be the last as the case constitutes a clear warning to outdoor adventure companies, their directors, senior executives and shareholders that they could incur not just civil, but also criminal responsibility in relation to the safety of their customers.

Of course, the boundaries of this criminal liability are impossible to map out with complete accuracy because English law is open textured, always open to interpretation, always changing and developing as new cases are decided. Nevertheless a consid-

eration of relevant general principles of criminal law can provide those involved in the outdoor activity industry with a rough guide as to their possible criminal liability.

Prosecution Policy

The question of who to prosecute is a matter for the Crown Prosecution Service to decide. Basically, they can choose which organizations and/or individuals should be prosecuted in the public interest. There is no reason why several defendants should not be prosecuted for the same crime. In the Lyme Bay case, the managing director and the centre manager were prosecuted. Clearly, it was decided that a prosecution of the two instructors who led the fateful trip, while possible, was not in the public interest. However it should be remembered that while the criminal law of manslaughter may be used to make the company, its directors and managers accountable for unlawful conduct resulting in death, it also has the capacity to impose liability on employees....

Corporate Liability

According to English law, a company is a legal person in its own right; quite distinct from the directors, managers, shareholders and employees who compose it. At one time it was thought that a company could not be liable for a crime at all. Personal appearance was required in court and the company, having no physical person, could not appear let alone be punished. However by the early 20th century it was accepted that a company could appear and plead in court through a representative. Initially criminal liability was limited to situations where the company was vicariously responsible for the acts of its employees, but by the early 1940's the courts had accepted the notion, known as the alter ego theory, that a company could be directly liable for committing a criminal offence. This new view of liability was based on the idea of the company being identified with the acts of senior officers, rather than being accountable for the transgressions of its employees....

In the Lyme Bay case, the managing director of the company which ran the outdoor adventure centre was not

only guilty of manslaughter in his individual capacity, but was also treated as the embodiment of the company for the purposes of the alter ego doctrine. He was sentenced to three year's imprisonment while the company was fined 60,000 pounds.

Corporate Manslaughter - liability based on recklessness

During the late 1980's public and political interest in corporate liability for manslaughter intensified as a result of a number of well publicized disasters which resulted in a large number of seemingly avoidable deaths (1988 Piper Alpha oil rig explosion, 1987 Kings Cross underground fire, Zeebrugge ferry disaster)....

Corporate Manslaughter

liability based on gross negligence
A shift in the law occurred following the House of Lords case of *Adomako* in 1994 where it was decided that in manslaughter cases not involving driving but involving a breach of duty liability should be based on gross negligence rather than recklessness. This important decision eliminated the difficulties relating to establishing recklessness and made the conviction of companies for deaths resulting from their grossly negligent acts of omissions a very real possibility. It was the law relating to gross negligence as developed in *Adomako* which was applied to secure the first recorded conviction of a company for manslaughter in the Lyme Bay case. The prosecution has to prove three related elements: that the defendant owed the victim a duty of care, a breach of duty which can be characterized as gross negligence, and that the breach of duty caused the death of the victims.

A duty of care will be owed not only where there is a contractual relationship between the defendant company and the victim for the provision of services, but also where the defendant holds himself out as possessing special skill and knowledge and the victim relies on that skill and knowledge. Obviously a company operating as an activity centre will owe a duty of care to its customers as will its senior instructors. Rather less obviously, a private individual, who claims to be skilled in a particular

outdoor activity, will owe a legal duty of care to a less experienced friend who relies on his superior skill and judgement. This will be so even where there is no contractual relationship between individuals involved and not question of payment changing hands. Clearly in the Lyme Bay case, the company which owned the activity centre, owed a duty of care to its customers, as did its managing director, manager and instructors.

A breach of duty will establish by proof that the defendant acted or omitted to act in a grossly negligent manner. A defendant company will be negligent if it fails to exercise care, skill or foresight as a reasonable person in the same situation would exercise. Gross negligence is such a major deviation from the standards of the reasonable person that the jury consider it should be judged criminal. If a defendant holds himself out as having special skill or knowledge of some sort then in assessing whether or not he has been negligent the court will attribute that skill or knowledge to the reasonable person. In other words, the canoe instructor of an outdoor activity centre will be judged against what the court believes to be the standard of the reasonable kayak instructor. Similarly, the director or manager will be judged against the standard of the reasonable director or manager. If the defendant has deviated significantly from the standard of reasonableness, then gross negligence will have been established.

In the Lyme Bay case, the jury heard evidence that there was no specific recruitment criteria to become an instructor as the centre and that the two 'instructors' were not qualified to lead a sea trip. Indeed the only qualification that they held was the BCU One Star certificate; the lowest level of competence which can be awarded and which is generally regarded as a mere encouragement test. There was little or no liaison between the layers of management at the centre, nor between management and staff. Moreover, the managing director had received a letter from former instructors at the centre warning him of the threat to life posed by inadequate safety precautions. The trip leaders were not equipped with basic sea kayaking

safety equipment such as flares, a two-way radio or tow rope. Apart from the two instructors none of the students were equipped with sprayskirts, an omission which resulted in the kayaks shipping water and becoming increasingly unstable in the choppy conditions.

Although the group were issued with life jackets they were instructed not to inflate them; the single most important factor leading to the death of four of the teenagers, according to an expert witness from the Institute of Naval Medicine. Before the group put to sea, neither of the instructors nor the centre manager had checked the weather forecast which indicated the possibility of relatively strong offshore winds of up to 20mph with two to four feet surf. Both the Lyme Regis harbour master and the local coastguard had not been notified in advance of the proposed route, the time of departure and estimated time of arrival of the expedition. A safety boat that had been arranged to operate at Lyme Regis on the morning of the trip was diverted to be with sailing dinghies in another harbour. Finally it appears that the coastguard was not informed by the centre manager that the group were overdue until three hours after their expected time of arrival.

In view of the above evidence it is not altogether surprising that the jury found that the behaviour of the company and its managing director had deviated sufficiently from the standards of the reasonable adventure centre company and its senior officials so as to amount to gross negligence and, therefore, merit the application of criminal sanctions.

Conclusion and Implications

Although the case involves the application of existing law rather than the development of any new rules it is, nevertheless, of considerable symbolic importance. As the case constitutes the first successful prosecution of a company for manslaughter it can be seen as legal recognition in cultural and social values in favour of attributing blame for disaster and health and safety deaths rather than view them as accidents or the work of fate. Moreover, the argument that blame in the

disaster context should be attributed to individuals, but also to the corporation itself has been unequivocally accepted. This development, as we have seen, was itself facilitated by the emergence of gross negligence rather than recklessness as the appropriate mental element for the crime of manslaughter.

Following the case the Government initially insisted that statutory regulation of activity centres was unnecessary and that safety standards could best be improved by means of self regulation. However following a 22 week campaign which generated considerable press and public concern, it was announced in January 1995 that the Government would be supporting a private member's bill, which contained provisions for the compulsory regulation of the outdoor activity industry. Once the measures in the bill become law, operators will have to be listed on a national register of accredited centres, individually licensed and subject to inspection and complaints procedure. All centres will be inspected from time to time and those found to be unsafe, for example, by employing unqualified staff, could be closed down and their managers and senior officials fined or imprisoned. Centres found to be posing a potential rather than an immediate threat to safety could be served with an improvement order, allowing 30 days for the specified improvements to be made. Failure to comply with such an improvement order would result in loss of licence, closure and a fine or possibly imprisonment. These proposals seem to enjoy cross party support and it is possible they will become law shortly.

To conclude, it seems that now there will be two routes by which those operating activity centres could incur criminal liability. First there will be much needed new regulatory offences which are designed to enforce appropriate safety standards on the industry in order to prevent needless loss of life. Secondly, if negligence can be proved, liability in relation to the law of manslaughter will be incurred. The regulatory framework is proactive in that it uses the sanctions of criminal law to prevent loss of life while the law of manslaughter is reac-

tive in that it attributes blame and seeks to punish offenders. The defendant company, its senior officials and managers could all be caught in the regulatory net, while they with individual employees could be liable in relation to manslaughter, always provided, that it can be proved that they have acted in a grossly negligent manner.

Finally, it is a sobering thought that there is to be an interaction between the two forms of liability in that the higher the safety standards for accreditation purposes, the easier it is likely for the prosecution to prove that a particular defendant deviated from them. In other words the standard required for accreditation could become accepted as the standard of reasonableness for the purpose of the law of manslaughter.

Roger Geary.

Reprinted, slightly abridged, from the ISKA Newsletter.

*Sea Kayak Guides Course
by John Kirk-Anderson*

The following article is reprinted from the Canterbury Sea Kayak Network Newsletter, 16, October 1996.

**SKOANZ Level 1
Guides Course Assessment**

Being generally wary of 'Qualified' people, I should have been the last person to present myself for formal assessment as a Sea Kayak Guide. However, I was keen to sit the Sea Kayak Operators Association of New Zealand Level 1 Guides Assessment for two reasons:

- 1 - taking responsibility for other people, either paying clients, or non-paying beginners, brings with it the risk of explaining to a coroner, or the police, why people in your care died. As a member of the media, I am aware of how much weight is placed on the term 'Not Qualified'.

- 2 - I was keen to see how my skills and knowledge stacked up when I was being critically tested by peer assessment.

Trying to find out where and when the course was running was a test

itself. The dates and locations were changed so frequently it could have been a reunion for the assassins of JFK. In the end it was held in Christchurch over a three day weekend.

Pre-assessment requirements were a first aid certificate, a Coast Guard Day Skippers Course, and 50 logged days of guiding.

Nothing quite like local knowledge, I thought, looking up from the breakfast table towards Quail Island.

The first morning of the assessment was spent on introductions, with different backgrounds and goals showing up. The assessors were Ray Button from Christchurch, Steve Chapman from Greymouth Polytech, and Roy Dumble from the Auckland Institute of Technology. Al Rynn, a self-employed guide from Nelson, had done a prior assessment and was along as an observer.

Six fools had lined up for testing. Four were guides from companies in the Abel Tasman. Another was thinking of starting a kayaking business and was bravely, I felt, putting himself through to see the required standard and then there was me.

The first requirement was to demonstrate landings, both straight and broached, and rolls in surf. The conditions were not ideal, with only the odd breaking wave, but still some found it testing.

Towing and rescues, both self and assisted, were tested in the afternoon. This caused some disagreement as two candidates were told prior to the course that re-entry and rolls would be acceptable but on the day they were not allowed to use them. As they did not carry paddle floats they simply climbed in over the stern and re-entered their stable boats that way. The assessors argued that it worked in the conditions we were in but would have failed in more testing conditions, which caused ill feeling. While I agreed with the assessors, I feel a better way to have resolved the dispute would have been to go out to the Sumner Bar, which was breaking gently 100m away, and have them attempt it there. When they failed, the point would have been proved beyond doubt.

Debriefs were conducted after each stage, which made for long delays,

but the comments were very useful if sometimes painful.

A day trip on Lyttelton Harbour with real paying clients took the second day. Exercise constraints meant the trip was quite unreal with two guides per group, but one was invisible for half the day, and an invisible assessor along, scribbling in their notebooks. The day was perfect for the task with just enough wind to push the clients around and spread the groups out, testing the control of the guides.

The omnipresent assessors were liable to paddle up, with their pencils hovering, and ask a casual question about navigation or weather. It's amazing what you miss when leading a group, but the assessors missed nothing. I was surprised to discover that at least one of my clients had undone their buoyancy vests when I wasn't looking, I tendancy that I have noticed since.

Back on dry land the clients were asked to give their views on the trip, and the performance of the guides. Their comments were invaluable, because some people were bluntly honest. The feedback I received was bruisingly direct, but I would never have got such criticisms from normal clients. They would just say nothing, leave, and then moan behind your back.

The day finished with de-briefs, some a little heated, and a couple of people had fails from that day.

The last morning was taken up with written navigation and weather tests, and demonstrations of ferry glides and turning strokes. The last test was to rescue a double kayak, with the paddlers mildly hypothermic and unable to assist. Simple enough but I stuffed it up. With the clock running I attempted to roll the Southern Light over, but my hand slipped and I capsized. The world's fastest Eskimo Roll failed, as did the next, so I slowed down, did it properly and came to the surface to see the victim's faces split in huge grins. They quickly looked sick again, I carried on and muddled my way through, going well over time.

A chart on the wall showed our progress, and I was cursing the solitary FAIL beside my name. Two candidates had passes, and they certainly

deserved it, having done a lot of preparation. Two people failed several phases, and therefore the course.

Two people, myself included, were taken aside for a wee chat. Ray Button smacked my hand for a stupid lapse and I once I had completed my Boat Masters Course, I passed. The other chap had to resit a couple of phases at a later stage.

With the course completed, I believe it was a good assessment of safe guiding. It is important to remember that commercial guide's clients are well protected and not extended in any way. The assessment has drawn criticism for not catering to the standards required by guides in different parts of the country. This must remain the responsibility of the guides and their employees and the SKOANZ assessment is only the first step.

John Kirk-Anderson.

NATIONAL BODY AFFILIATION

by Paul Caffyn

At the 1996 KASK AGM, Peter Sullivan expressed concern for the future of KASK if we didn't affiliate to a national body which would allow us to validate training/safety programmes or apply for fund to run courses and publish documents. After discussion, three organizations were suggested for possible affiliation:

- Federated Mountain Clubs (FMC)
- New Zealand Canoe Federation (NZCF)
- New Zealand Water Safety Council (NZWSC)

A motion was then passed 'that before we make any decision, a detailed report on each organization should be printed in the newsletter with the possibility of a postal vote later on'.

To join the NZCF would cost KASK a hefty capitation fee per member, almost as much as the membership fee, which would mean bumping the KASK fee to \$20. NZCF predominantly represents competitive kayaking, and KASK would not be high in the list of funding priorities.

To join FMC would also require a hefty capitation fee, and the benefit of membership is members would receive the FMC Bulletin (updates on conservation issues, public access, book reviews etc.) and the FMC membership card entitles holders to discounts of 20 to 30% with map sales and various land travel companies.

The NZWSC, 'formed in 1949, is the national organization responsible for ensuring all New Zealanders play safe in the water - whether at home in the pool, at beaches, in lakes, rivers or out at sea. Its prime focus is the service the needs of member organizations and to ensure the public are aware of water safety. This is achieved through the NZWSC's co-ordination of many varied education programmes that promote water safety.'

The NZWSC represents the interests of 23 organizations across a range of aquatic sports and recreation. It provides them with funding, advice and acts as a consultant on water safety issues and education programmes.'

The NZWSC relies on an annual grant from the Lottery Grants Board and sponsorships. Its existing education programmes include the Day Skipper Course, which provides the basics in boat safety.

Members of the NZWSC are national organizations who have an interest in water safety and the prevention of drowning. Their core activities range from rescue orientation to competitive sport to adventure recreation or the monitoring of legislation. There are 17 current full members with voting rights on Council; they include:

- Maritime Safety Authority
- Sea Kayak Operators Assoc. of NZ
- Surf Life Saving NZ
- NZ Recreation Association
- NZ Outdoor Instructors Association
- Royal NZ Coastguard Federation

There are two levels of membership - council member and associate member.

A council member shall be any national association, organization, committee or body of people whether incorporated or otherwise whose role relates to aquatic activities and who

can demonstrate an active national membership, with a defined safety and educational role. The national association, organization, committee or body must be the recognized national representative of their particular activity sector.

Associate membership is available for national organizations that have an interest in water safety, but there are no voting rights.

It is blatantly obvious that KASK should have applied to join NZWSC years ago. There is no capitation fee and the aims of both organizations are similar. Unfortunately the next NZWSC meeting is June 1997. As the KASK AGM motion suggested a postal vote on this issue, if any KASK member feels we should not join NZWSC, please drop a line to either Peter Sullivan or myself. In the meantime KASK will prepare the necessary information package required to accompany an application for membership of NZWSC. At the 1997 KASK AGM, a formal motion can then ratify this application.

If undelivered, please return to Sandy Ferguson: 12 Dunn St., Christchurch 2.
Sandy's E Mail address: <http://john.chem.canterbury.ac.nz>

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