

## **Adventure Review makes good progress**

By TIA Advocacy Manager Geoff Ensor

On 16 September 2009, Prime Minister John Key wrote to the Minister of Labour expressing concern about a number of incidents in the adventure and outdoor commercial sectors. The Department of Labour (DOL) was chosen to lead a cross departmental group to investigate and report back on the current situation and ways of improving risk management and safety in the sector.

The purpose of the review was to investigate the current situation and ways of improving risk management and safety in the adventure and outdoor commercial sectors in New Zealand.

TIA continues to believe the review was timely, given the recent intense focus on this sector. The families involved have our deepest sympathies and we want to do all we can to improve the sector and ensure complacency never sets in.

Our adventure sector has built its international reputation on world-best practice, but there is always room for improvement. Because of adventure tourism's innovative nature there are a huge number of activities involved, and to take one umbrella view of the sector makes a lot of sense. TIA is pleased there hasn't simply been a knee-jerk reaction around introducing regulation.

For the purposes of the review, 'adventure and outdoor commercial sectors' was defined as "all recreational-type activities offered on a fee-for-service basis that carry heightened inherent risks that must be managed".

At the commencement of the review, the Hon Kate Wilkinson, Minister of Labour, said she wanted to ensure New Zealand's adventure tourism sector retained the dynamism which sets it apart from the rest of the world, while also ensuring the best possible safety measures are in place.

"People come from all over the world to experience the adrenalin rush our adventure tourism operators provide," Ms Wilkinson said.

"At the same time, thrill-seekers should be able to expect every possible effort is made to ensure their safety. The sector already has a number of measures in place; this comprehensive review is about protecting our international reputation by ensuring all operators are meeting high safety standards."

While a review of such a diverse sector is challenging, TIA is happy with progress to date. DOL is successfully coordinating a difficult review and TIA remains fully involved. The working group team is committed to completing a really professional review - we are not jumping to any conclusions, this is about interpreting a significant amount of information and ensuring any recommendations are made for the right reasons.

The review, together with any options and recommendations, is scheduled to be completed by the end of May 2010.

Note: TIA wishes to correct some factual errors reported in the last issue of Inside Tourism (issue 769), in an article entitled 'Grieving parents demand action!'

1. *"(Chris Jordan) claims that in all three cases the operations have a laid back attitude to safety. There had been little or no safety checks of the operations where these took place, with regard to their safety procedures, equipment or operation."*

One of the three cases Mr Jordan refers to is the death of Tom Sewell, 19, killed on a kiwifruit orchard in June 2008 while riding a Polaris Ranger (a type of utility vehicle). Tom's death was not tourism-related – he died while riding with a friend who was working on an orchard. This was an accident in a farming setting and not tourism related.

Another of the cases refers to Sarah Bond who died as a result of an ATV accident in a commercial operation. However, the operator had been inspected by DOL within the preceding 14 months. After the fatality, the operator was taken to court by DOL but in his ruling the judge stated: *"There is no evidence to suggest that the defendant company in any way 'ticked the boxes' then paid no further heed to safety issues. All the evidence points to the opposite conclusion."* He went on to conclude: *"Overall, I am satisfied, for the reasons stated above, that the defendant company operated a careful and safety conscious tour operation"*.

2. In relation to river boarding, the Inside Tourism article stated: *"So five months after the end of the trial nothing has really happened, apart from some safety audit investigations," Mr Jordan adds.*

In fact, a number of things have changed as a result of Emily Jordan's accident, including:

- a. The company concerned is now working to the new sector Code of Practice
- b. Different Personal Flotation Devices (PFDs) are now being used
- c. Changes to the company's operational plan have been implemented
- d. Training has been undertaken with NZ Raft Association (NZRA) & NZ Whitewater Boarding Association (NZWBA).