

Excerpts from a letter, sent in 1998, from the Assistant Deputy Minister of BC Parks to the Superintendent of Schools:

As the manager of the provincial network of protected areas, BC Parks has a concern for both the conservation of the values that make the park system what it is, and for the safety of our visitors engaged in recreational and educational activities within the system. Whenever groups of people enter the back-country, there are risks: risks to the park values, and risks to the park visitors. It is these two issues that we would like to address.

Back-country reservations

In order to better monitor park usage and to ensure that too many large groups are not in the same place at the same time, we would like all school groups heading into the back-country to contact ...(BC Parks) and let them know that you're coming....

Back-country group size

While front-country group camps are great for large numbers of students, the very nature of the back-country makes it necessary to limit the number of students/teachers traveling at one time.

BC Parks recommends that school groups not exceed 20 people with a ratio of adult leader to students of 1:5. Ideally, no sub-group would be larger than 10 so that a group of 20, while traveling together to the park, should break into two groups while at the park. The reasoning for this group size has to do with the legal requirement of the accompanying adults to provide an adequate standard of care for all the students in their charge. However, the ideal group size will depend on many things such as the sensitivity of the area, the physical conditions, the number of supervisors and how they are being used, the condition of the students and their experience, education and age, and how long the trip is. We would like to see that all groups have adequate female, as well as male, supervision.

Competence of group leaders

Simply being a camper or hiker does not, by itself, make a teacher adequate to the task of taking a group of students into the back-country. Taking a group of young people into a wilderness setting exposes the students to a level of risk higher than that normally encountered by a group of students in a classroom.

All outdoor leaders should leave a detailed trip plan with a responsible person. In addition, leaders should be able to demonstrate competence in at least four areas¹:

- able to assess the level of risk being encountered or likely to be encountered, and be competent to make reasoned judgments about the acceptability of those risks;
- able to navigate successfully in their particular terrain through the use of maps, compass and/or GPS, and offer appropriate guidance to the students in their charge;
- able to offer competent supervision of the students during instructional and non-instructional time;

¹ Hanna, G. 1991. *Outdoor pursuits programming: Legal liability and risk management*. Edmonton: The University of Alberta Press, Chapter 6

- competent to teach the necessary skills to ensure the safety of the students and where problems are to arise, be adequate to the task of handling those unplanned events through the prior consideration of safety measures and competency in first aid and in rescue techniques appropriate to the particular kind of activity.

Accidents and mishaps in the back-country happen, and when they happen, they often happen far beyond the range of immediate support. Adult leaders have to be able to deal with emergencies and be prepared through training, experience, and with adequate supplies and equipment, to deal with those emergencies.

Preparation of school groups

An adequate leader understands the importance of both the physical and psychological preparation necessary for an extended wilderness trip, and should be able to assess the abilities of the students attending a outdoor program. The importance of preparation, which should involve first-aid, navigation, food preparation and the use of stoves, appropriate clothing, shelter gear, etc, is very great. Also important is the degree of the students' physical conditioning, and the skill level of participants if technical skills like rock climbing or water sports are to be used. Psychological strength is also of great importance in back-country travel, so that students should have some preparation in more modest expeditions prior to a major multi-day trip. Students will have a safer, more productive and enjoyable experience if they have received good prior instruction.

Teachers must also be capable of assessing the equipment, including first aid and communications equipment, needed for the particular trip, ensuring that necessary equipment is brought along. Students should not be allowed to take part in outdoor activities if they cannot provide or be provided with the necessary material resources.

Visitor behaviour in BC Parks

The provincial park system is a legacy for all British Columbians. When problems arise in the behaviour of parks visitors, BC Parks staff can evict and/or fine visitors. The care we take when we visit our parks today will be an important ingredient in the quality of the parks we leave to our children, and their children.

- Guidelines found in "Leave No Trace" camping, a program developed in BC by groups associated with Scouting, would be relevant to all groups visiting the back-country.
- BC Parks expects that hikers will stay on trails and be prepared, through having adequate footwear, gaiters and rainwear, to not leave the trails even when the trails are extremely wet or muddy.
- BC Parks requires that students and teachers will pack out whatever they pack in. When outhouse facilities are not available, we expect human wastes to be dealt with through burial at least 50 metres away from water.
- BC Parks expects students and teachers to not remove objects from provincial parks, either of natural history or cultural history. This means no collecting of animal skeletal remains, plants, First Nations arrowheads, or of old pioneer pots that might be found.

- BC Parks expect students to show respect for others in the park by reducing their noise level and visual intrusion into the wilderness environment.

Potential for liability on the part of teachers and districts

A recent publication outlines the tests for outdoor leader liability as involving an evaluation of five factors²:

1. Determination of a duty owed by the leader to the participant ;
2. A breach of that established duty; the failure to meet a prescribed standard of care ;
3. Actual physical and/or mental injury to the participant ;
4. Proof that the defendant leader's negligence was the proximate cause of the participant's injury(ies); and,
5. Evidence showing that the participant did not voluntarily assume the particular physical and legal risks associated with the injury(ies) sustained.

² *ibid.*, p. 71