

## Your Duty of Care Responsibilities on Canberra Bushwalking Club Activities

All participants in CBC activities owe a duty of care to other participants. If you are the activity leader, or are more experienced, you owe a higher duty of care. If someone suffers injury or loss because you did not provide the level of care that a court considers reasonable in the circumstances, the court may require you to pay damages.

In assessing whether you provided an appropriate level of care, a court will consider:

- whether you gave a warning about the hazard that contributed to the claimant's loss or injury
- whether the hazard was something inherent in the activity and/or should have been obvious to the claimant
- whether the claimant themselves understood the risk (whether they signed the Club's Acknowledgment of Risks and Obligations form is part of what the court will consider) and whether they should have taken more care
- the relative levels of experience of the people involved.

The Club's public liability insurance policy is designed to pay, by way of compensation on behalf of the Insured (the Club and its members), all sums which the Insured shall become legally liable to pay in respect to injury and or damage as a result of an occurrence in connection with the insured activities of the club, subject to the terms, conditions and exclusions of the policy.

*Approved by the CBC Committee 24 April 2013*