

# BCA Youth and Development

Open Letter to Charterhouse Caving Company

We have been asked to reiterate an apology for speaking to the landowner without your permission. We are sorry for this. The apology was made at a previous council meeting yet not adequately recorded in the minutes nor passed on and for that we also apologize. Our intention was never to interfere with the access agreement, as we are bound by the BCA's constitution – merely inquiring as to the legal reasons behind it. This was due to a complaint made about Charterhouse breaching clauses 4.6 and 4.7 of the BCA's constitution.

Subsequent to all of this, we feel that clarification is needed regarding the position of CCC Ltd with the BCA on the position of age discrimination.

There is **no legal difference** between an under 16 and over 16-year-old in terms of access waivers, permissions and contracts.

There is no legal impediment to scrapping the 16-year age limit. There is a holdover clause from a previous access agreement and an **urgent transparent** effort should be made to remove this.

If a BCA member asks why they are being discriminated against when there is no basis in law, ability or safety. This would be a highly unpalatable outcome as the only decision available to the BCA is whether or not to expel group, this would be disastrous for both CCC Ltd. and the BCA. Our recommendations for CCC Ltd to avoid this procedure would be as follows:

- Hold an open meeting with any aggrieved participants to better understand the importance of the situation.
- Demonstrate accountability of the executive to the members, this could be simply done by election of officers.
- Publish the operating procedures of the company so that cavers are able to easily interact with you and that the legitimacy of the access controlling body cannot be called into question.
- Most importantly: make an urgent and transparent effort to remove the holdover clause. This could be done by delegating the renegotiation to someone within the company selected by the member clubs, setting out a timeline and inviting a third-party in.

We recognize the contribution you make as volunteers and appreciate that your time is valuable. We hope that you improve youth access. There is no further advice that Youth and Development can offer the CCC Ltd. and we consider the matter drawn to a close.

Rostam Namaghi – Youth and Development Officer 12/05/20