

Recollections of Battles Lost and Won

Toddler Drowning and Pool Fencing 1999 – 2008

Gervase Chaney

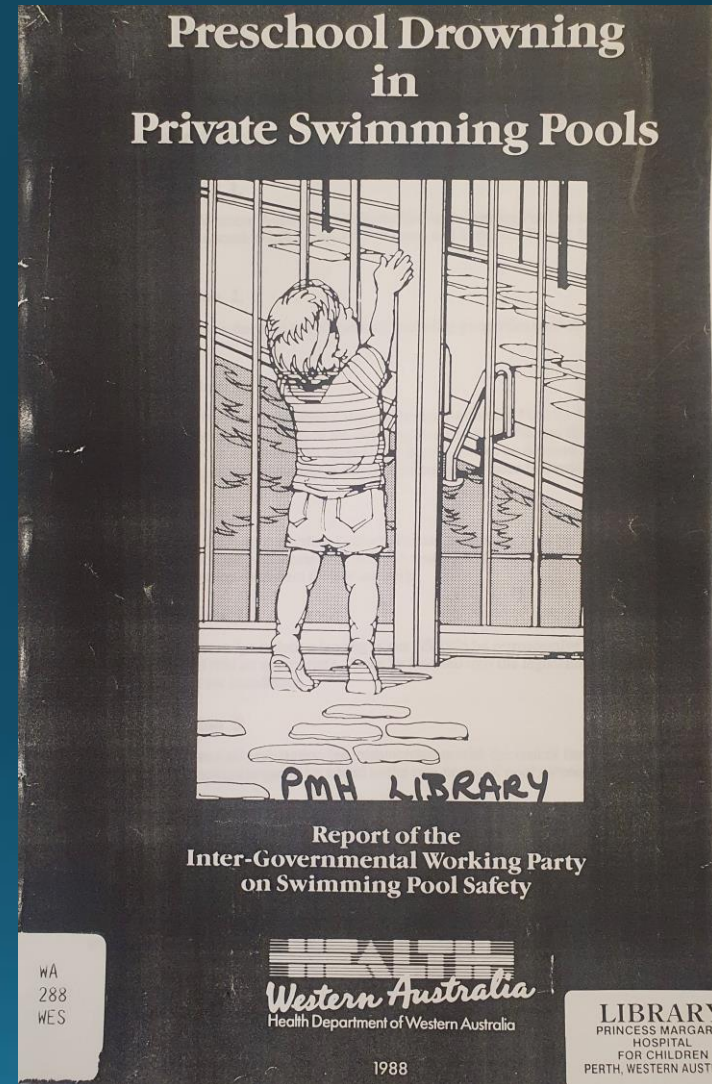


Toddler Drowning

- Major cause of childhood death
- In the 1990's in WA it was the #1 cause of death in 1 – 5 years
 - 1 – 15 deaths per year
 - Mean – 7.4 deaths
- All preventable
- Vast majority were in backyard swimming pools
- For every drowning there are about 6 children admitted to hospital with a near drowning

Prevention

- Safety Barriers – fencing
 - Presence
 - Effectiveness/adequacy
- Supervision
- Swimming ability (lessons)
- (First aid training)

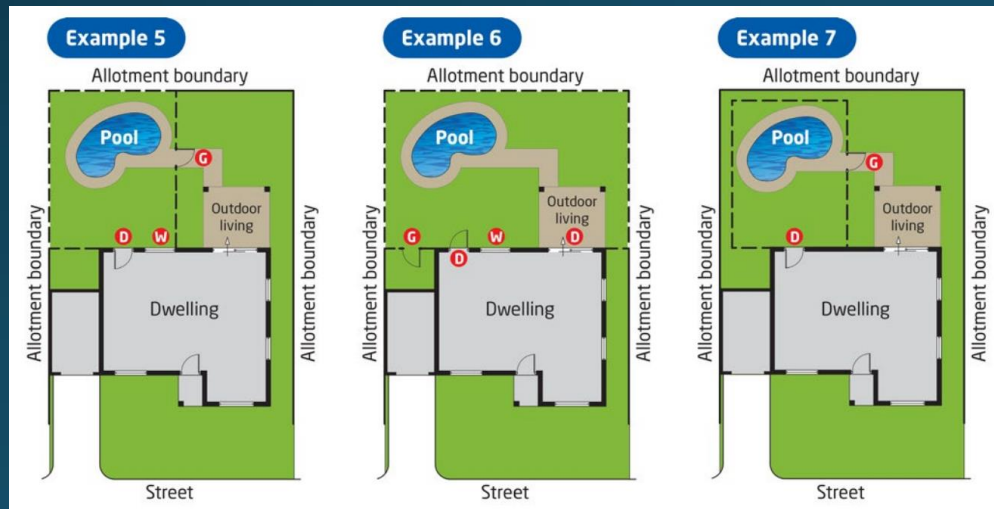


Pool fencing types

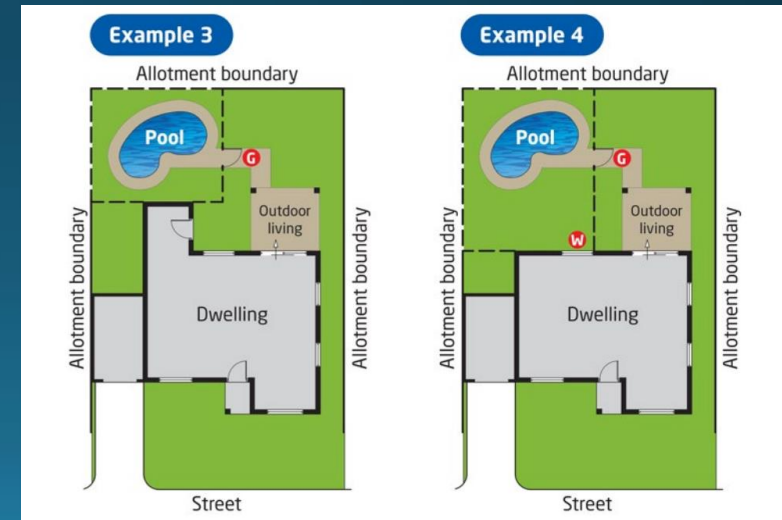
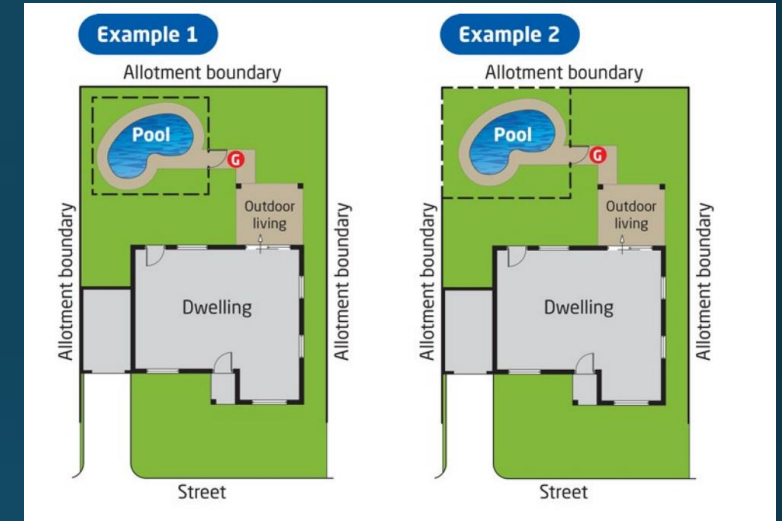
Category 3 – Perimeter Fencing

- Pool is fenced from neighbours properties
- Prevents trespasser/stranger drowning

Category 2 – Barrier Fencing “Three-sided fencing”



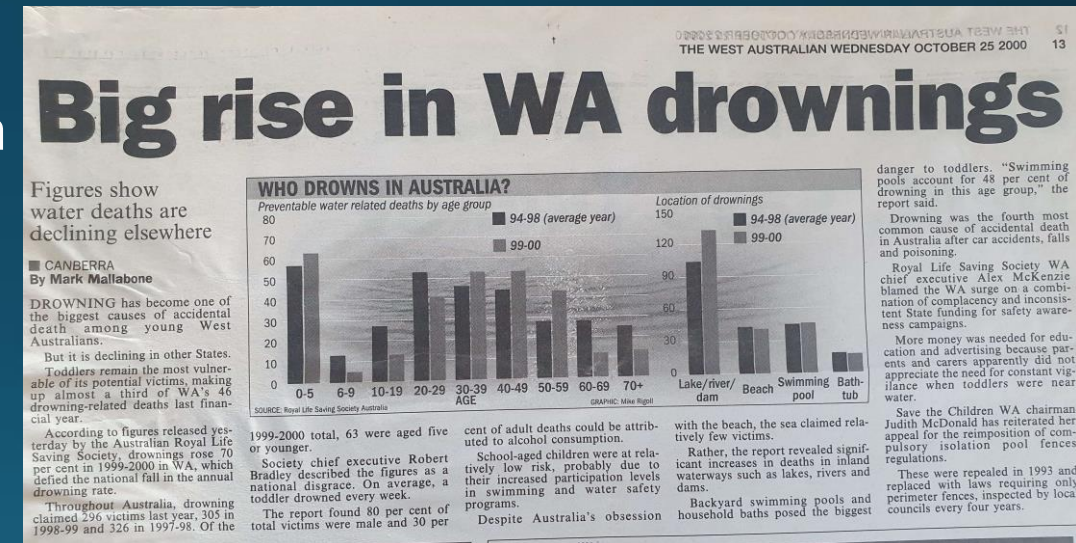
Category 1 – Isolation Fencing “Four sided fencing”



Pool Fencing Legislation in WA

History:

- 1970 – 1980s pools required to be fenced from neighbouring properties – i.e. perimeter fencing (Cat. 3)
- July 1992 - Labor introduces mandatory isolation fence (Cat. 1) requirements for all new pools in the last year of government
- November 1993 – Liberal government: Amendment that allows for alternative use of protected doors and windows (Cat. 2)
 - Even allowed cat. 1 to convert to cat. 2
- Other than 1993 (1 death), toddler deaths continued at a high rate – reaching a maximum of 15 in 1999 (cf 68 across all of Australia)
 - 22% compared with WA making up 10% of national population



1999 for me

- I qualified as fellow of the Royal Australasian College of Physicians (RACP) (after 6 ½ years training) – commencing as a consultant paediatrician at Princess Margaret Hospital for Children
- Working in the Emergency Department
- Became the State Chair of the Paediatric and Child Health Division of the RACP (after getting the state
- Joined the Kidsafe WA Council
- Our third child Alice was born 20 December



Involvement in an Advocacy Alliance

- Witnessed drowning and near drowning (PMH ED)
- Became aware of the pool fencing legislation history
- Talked to colleagues previously involved in advocacy
- Reviewed the evidence
- Joined with:
 - Kidsafe WA - Philip King and Sue Wicks
 - Telethon Institute of Child Health Research (TICHR) – Fiona Stanley
 - UWA Injury Research Centre – Mark Stevenson
 - Paediatric and Child Health Division RACP (WA) – me
 - Royal Life Savings Society WA – Alex MacKenzie
- Started work on lobbying the politicians

Advocacy

- Ideally all pools meet Category 1
- Realistically :
 - New pools meet Cat. 1
 - Existing pools meet Cat. 1 or 2
- RLSSWA
 - All pools meet Cat. 2



What was the Evidence?

- Pearn J, Nixon J. Prevention of Childhood Drowning Accidents. MJA 1977; 1
 - Absence of a safety fence single most important cause (77%) of immersion accidents and causal in 79% of swimming pool immersion accidents
- Pitt RW, Balanda KP. Childhood drowning and near-drowning in Brisbane: the contribution of domestic pools. MJA 1991; 154
 - Risk 3.76x unfenced pool: fenced pool
- Cass DT, Ross FI, Grattan-Smith TM. Childhood drownings: a changing pattern. MJA 1991; 154
 - 29 drownings in backyard pools – 25 unfenced or inadequately fenced
- Pitt RW, Balanda KP. Toddler drownings in Queensland since uniform fencing requirement. MJA 1998; 169
 - Reduction in toddler drownings following uniform pool fencing requirements from 1992
 - 33 of 38 drownings – pools did not comply with fencing legislation
- Carey V, Chapman S, Gaffney S. Children's lives of garden aesthetics? A case study in public health advocacy. Aust J of Public Health 1994; 18
 - Public health debate in NSW – reversing of Isolation fencing legislation 1990 in 1992 following 2 year campaign led by PFAG

Arguments Used Against Pool Fencing Legislation

- My home is my castle – backyard as a sanctuary from Government
- Victim blaming – parental/supervisory negligence
- Fences are counterproductive – decreasing parental vigilance
- Arbitrary fencing of pool water as “capricious folly”
 - Cannot eliminate all water sources
- Hysteria and emotional
- Overkill



Arguments Used Advocating for Pool Fencing Legislation

- Personalising: the human face of infant drownings
- Parents as fallible, human
- Aesthetics versus saving a child's life
- Inconsistency with existing safety standards
- Opponents a selfish vocal minority
- Votes versus children's lives
- Defenders of the innocent and helpless

Political lobbying

- Premier – Richard Court
- Opposition leader – Geoff Gallup
- Election due in early 2001
- First letters October 1999 – Drowning Awareness

Day considers new pool fence laws

■ By Wendy Pryer

HEALTH Minister John Day will urge Cabinet to change laws to make isolation pool fences mandatory if research he commissioned this week reveals young lives could have been saved by the fences.

In 1993, the Government repealed regulations making isolation fences for swimming pools compulsory.

A joint WA Institute for Child Health and

Health Department report released this week said a study on pre-school drowning indicated most occurred at houses without fences.

When Labor asked Premier Richard Court if he would change the law based on the report, he said fencing alone could not be relied on to save lives.

Mr Day said more research was needed before the Government could decide if changing the law was vital.

Correspondence with the Liberal Government: Premier Court

- Letters to:

- 27 October 1999 (DAW)
- 5 April 2000
- 6 July 2000
- 9 November 2000 (DAW)

- Responses:

- 31 Jan 2000
- 14 June 2000
- 10 November 2000

In Short: No

Responses emphasised:

- meeting the Australian standard,
- the current legislation as “more flexible”,
- retrospective requirements for existing pools too difficult to implement
- other factors – including supervision
- evidence is old and relevant to previous low level of requirements.



Correspondence with Labor Opposition

- Letters to:
 - 27 October 1999
 - 11 July 2000
- Responses
 - 8 November 1999
 - 26 November 1999
 - (Referred to Sheila McHale)
 - 11 July 2000
 - 15 December 2000

Meetings resulted with Sheila McHale (Shadow Minister for Health)

- Commitment to introduce compulsory pool fencing in draft health policy and legislation to be drafted within the first 12 months of winning Government



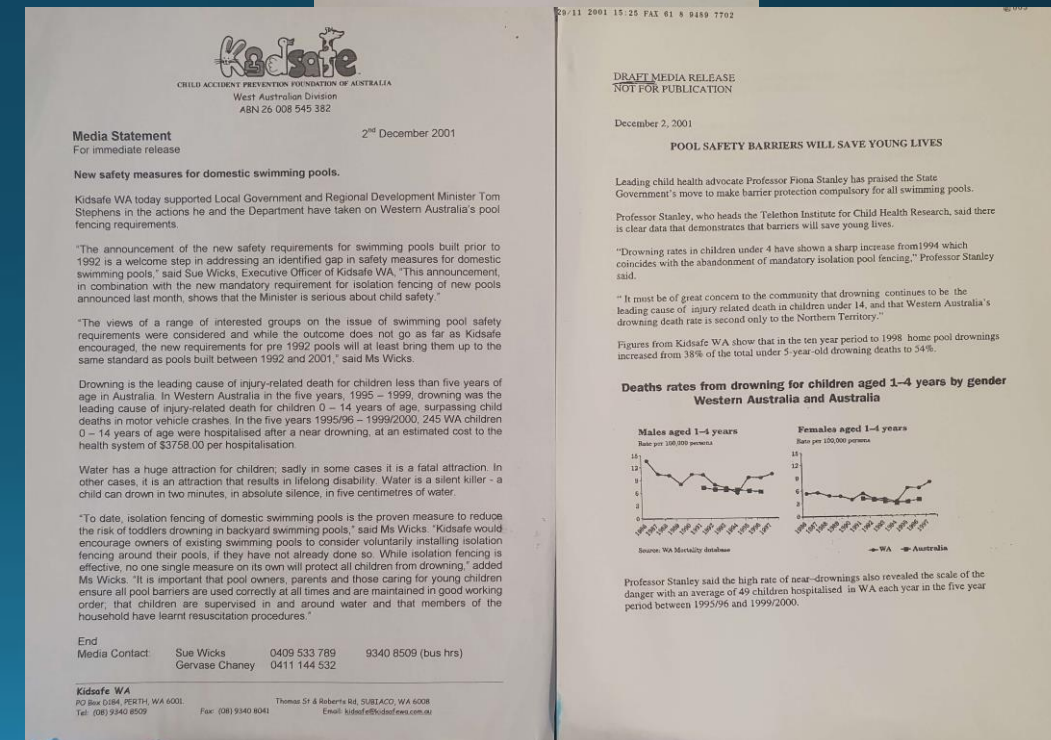
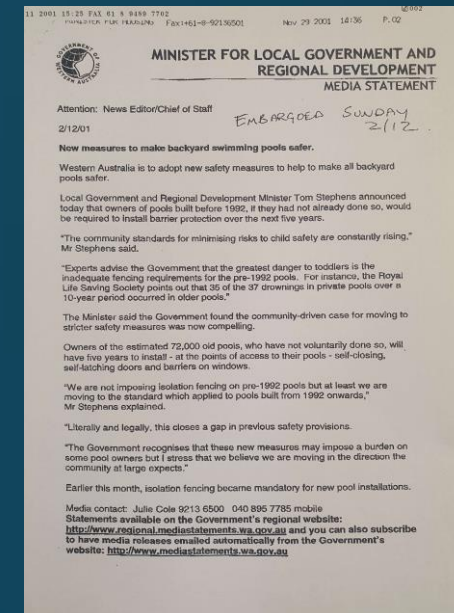
2001 WA State Election

- Held 10 February 2001
- Richard Court's Liberal National Government defeated by Labor led by Geoff Gallop (winning 14 seats)
- Labor 32 seats to L/NP 21 seats
- Follow up correspondence
 - 28 February to Premier
 - cc: MfH, Minister for Planning
 - Forwarded to Minister for Local Govt
- Responses
 - 8 March, 16 March, 19 March, 20 March
 - Confirmed commitment to necessary legislation

Legislative Change

- 5 November 2001 – Building Amendment Regulation 2001 – withdrawing Cat. 2 as an alternative for all new pools and Cat. 1 became mandatory
- 18 March 2002 – Building Amendment Regulations (no. 2) 2001 retrospective regulations to bring all pool fences/barriers installed prior to July 1992 up to Cat. 2. Pool owners had until 17 December 2006 to comply (once the hose was sold – at that time)

Yay!!!



However it wasn't over!

ADVERTISEMENT

URGENT NOTICE TO THE COMMUNITY COMPULSORY ISOLATION FENCING FOR SWIMMING POOLS & SPAS

Did you know that it takes a 3 year old 16 seconds to climb over a pool fence? The Labor Government have introduced compulsory isolation fencing in an attempt to reduce child drownings. There are better alternatives but they have been ignored. The Gallop Government have taken away your freedom of choice!

Tragically two young children drowned within a couple of days of each other which prompted the Minister for Local Government to immediately announce that he would proceed to introduce compulsory isolation fencing around all NEW swimming pools and spa pools. This despite the fact that unfortunately such a measure would have been of no help to the two children concerned. Why? Because one incident involved an ornamental pond not covered by the Minister's proposal and the other in a pool that was already fenced in isolation. The present government may not be happy that its predecessor removed compulsory isolation fencing for new pools in 1992 but the FACT is that those regulations have PROVED to be an effective, sensible and reasonable balance between the need to protect young children and the need for a more palatable option for those in households where small children are not at risk.

HERE ARE SOME MORE FACTS

FACT: The Minister for Local Government told the industry that in spite of their excellent reasoning against compulsory isolation pool fencing the Government would proceed with it because it was a pre-election commitment.

Why politicise children's lives in this manner when the industry has demonstrated there are better alternatives? Why not at least do some research to see if such moves would be effective?

FACT: In the past 9 years only 1 toddler has drowned in a pool protected by a self-closing, self-latching door while in the same period more than 10 have drowned in pools fenced in isolation.

FACT: At present, over 30% of pools have been installed under the previous 1992 regulations. Yet only 5% of toddler drownings have occurred in these pools and NONE in those where the required barriers were correctly maintained. While this record is not perfect, we can conclude that the regulations for those pools were effective.

FACT: Research indicates that only 3% of pool purchasers have children under 5 years of age and do not voluntarily fence their new pool in isolation. Alternative barriers were mostly selected due to smaller and smaller lot sizes. It has become physically impossible to fence many pools in isolation and is safer to use self-closing, self-latching doors in some instances. The Australian way of life has now been changed. Gone are the alfresco living areas so popular in new home designs. Already existing contracts to construct new homes and swimming pools have been cancelled.

To introduce compulsory isolation fencing to all new pools will have the governments desired effect on only 3% of pool purchasers while affecting thousands of other responsible purchasers whose pools pose no risk to young children. Shouldn't the choice of barrier to put around your swimming pool be YOURS to make.

FACT: 95% of toddler drownings occur in pools installed prior to 1992 to which the current regulations do not apply and which the Minister is not inclined to address.

FACT: Studies show that an overwhelming number of toddlers drown in pools where the physical barriers that do legally exist have not been properly maintained. Prior to the introduction of compulsory isolation fencing in 1989 it was estimated that over 80% of pool barriers were deficient in some manner.

FACT: The pool barrier regulations just changed were based on Australian Standard 1726.1. This standard is currently under review and these precipitous changes prior to completion of that review have made a mockery of the expert committee efforts that set the Australian Standards.

FACT: Though we may not hear about them, many more lives are saved as a consequence of children learning to swim in private swimming pools. A study in the 80's in Victoria revealed that in a 25 year period that coincided with a rapid growth in private pool ownership, there was a 75% reduction in overall drownings. It will not help children to introduce measures that discourage private pool ownership.

FACT: There is clear evidence that when public awareness campaigns have been run in the past, toddler drownings have more than halved than in those years when no such campaigns were run.

FACT: Industry members estimate business losses up to 30% from clients who have no young children failing to proceed with a purchase due to the aesthetics or cost of isolation fencing. Countless jobs will be lost, some swimming pool companies and independent businesses will be forced to close. This loss was also felt in 1991 when Labor previously introduced such measures. Such losses will be devastating for many businesses!! An indirect consequence is that this will severely limit the funding the industry will be able to contribute towards education and awareness campaigns and provision of CPR charts – strategies with a proven record of success in reducing drownings.

WHAT SHOULD HAVE BEEN DONE?

It is clear that if the Government wanted to make a serious dent in toddler drownings, then compulsory isolation fencing for all new pools is neither necessary nor likely to be effective. There is no evidence to suggest that compulsory isolation fencing will reduce child drownings. This was a quick and easy change in the regulations to make the Government look good but it is NOT the right choice.

THERE ARE BETTER ALTERNATIVES THAT THE GOVERNMENT COULD HAVE CHOSEN.

1. Get a lot tougher at enforcing the existing regulations with an increase in frequency of inspections, a reduction in the number of work orders to rectify a breach, and more meaningful fines for non-compliance.
2. Find a way to apply the previous regulations to all existing swimming pools installed prior to 1992. It may not be popular but it will be effective.
3. Work with industry, RLSSA and other interested bodies on annual water safety awareness campaigns.
4. Work with industry, RLSSA and others to promote pool safety, CPR training, or even make the display of CPR charts in all pool areas compulsory as has been done in NSW.

CPR training, or even make the display of CPR charts in all pool areas compulsory as has been done in NSW.

It is vital that more targeted ways of reducing child drownings are developed. As an industry we are committed to this. These measures combined would have a dramatic effect. Why have they been ignored?

The State Government cannot legislate and take away the responsibility of parents to supervise children while in the pool area. Preserve your freedom of choice and make a stand today.

WE URGE YOU TO WRITE TO THE MINISTER FOR LOCAL GOVERNMENT.

Hon. T Stephens, BA, MLC,

11th Floor, Dumas House,
2 Havelock St, WEST PERTH WA 6005
Telephone: (08) 9213 6500, Fax: (08) 9213 6501.
Email: tstephens@mp.wa.gov.au

cc: The Hon. Dr G Gallop, MLA, Premier
197 St. George's Terrace, 24th Floor, PERTH WA 6000
Ph: (08) 9222 9888, Fax: (08) 9322 1213.
Email: ggallop@mp.wa.gov.au

cc: SPASA

PO Box 240, BURSWOOD WA 6100
Ph: (08) 9361 1344, Fax: (08) 9361 1840.
Email: info@spasawa.com.au



CHILD ACCIDENT PREVENTION FOUNDATION OF AUSTRALIA
West Australian Division
ABN 26 008 545 382

Response to SPASA

Drowning is the leading cause of injury related death for children less than five years of age in Australia. A child can drown in two minutes, in absolute silence, in five centimetres of water. There are many water hazards in and around the home – swimming pools, garden ponds, paddling pools, baths, buckets, even pet water bowls. Many data sources across the years show us that many more toddler drownings occur in domestic swimming pools than in buckets and baths. Water has a huge attraction for children; sadly in some cases it is a fatal attraction. In other cases, it is an attraction that results in lifelong disability.

As a caring community we act to put in place measures that will protect our most vulnerable members – our children. No one single measure on its own will protect all children from death by drowning – a combination of measures is required. Domestic water hazards, in fact all hazards in and around the home need to be looked at in terms of risk management.

The usual risk management hierarchy of measures looks first at a once only removal of the hazard, secondly at any possible modifications to the hazard that will reduce the risk it poses, thirdly at what can be put in place to isolate or protect the hazard from easy access, fourthly at any personal protective equipment that may reduce the risk posed and finally at changing people's behaviour. Let's examine domestic water hazards in those terms. What is required for a child to drown? Water five centimetres or more in depth and an unaccompanied child.

Can the hazard be removed? Baths, buckets, washing machines and so forth can be emptied when not in use. We could ban swimming pools and water features altogether but is this practical? A pool already in existence could be removed or filled but it would be a little difficult and costly to do so.

Can the hazard be modified? Should all pools, water features, baths and so forth be modified so that they are less than 5 centimetres in depth? Again, it is hardly practical.

Can the hazard be protected? If we put a barrier around the hazard, will that stop easy access to the hazard? Yes. We can isolate pools, water features, baths and so forth in and around the home by isolation fencing pools, placing a mesh cover over ponds in such a way as to prevent children gaining easy access to the water. For the bath, we can both empty out the water and shut the door to keep young children out. **Is there personal protective equipment that can be used?** Floaties, arm bands, alarms may keep a child afloat or set off an alarm when a child is in the water but certainly will not prevent them from getting into the water in the first place. They are of absolutely no use if there is no-one to help pull the child out of the water once in. In some cases, floaties have contributed to child drownings by trapping young children face down in the water.

Kidsafe WA

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Division Patron: Professor Fiona Stanley, Director, TWV Channel 7 Institute for Child Health Research

Kidsafe WA

Is there individual behaviour that can be changed to reduce the risk posed by the hazard? We can watch our children and supervise them all the time when in and around water, we can teach our children how to swim. What happens though when our children have easy, direct access to water and we are unaware of that fact? The ability to swim does not preclude the possibility of drowning. There is no evidence to date that conclusively demonstrates that teaching children less than five years of age to swim prevents them from drowning if they enter the water unexpectedly.

The most effective measures are those at the top of the hierarchy, however sometimes it is not possible to put those measure in place or they are not the most practical measures, so measures further down on the hierarchy will be chosen. The further down the hierarchy, the more likely that a combination of measures to deal with the hazard will be required. No one single measure on its own will protect all children from death by drowning but a combination of measures will certainly prevent the majority of toddler drownings. Isolate the hazard, keep watch and supervise children in around water and learn CPR.

SPASA have lead their campaign against isolation fencing by implying that a pool fence is an ineffective barrier to a young child. Queensland is the only Australian state where pool-fencing requirements for new pools do not permit direct access to the pool area from the residence. Their legislation has been in place since 1992. The report *Toddler Pool Drownings in Queensland*, (Injury Bulletin No 62) on the web-site www.qsu.qld.gov.au, reports the following:

"In Queensland, where only pools built before 1991 may allow access via the residence, 22% of drownings occurred where a 3 sided (the house forms part of the barrier) fence was in place." and "Less than 5% of drownings take place in pools that have 4 sided (isolation) fencing in good working order."

The Queensland report also observes that in the majority of toddler drownings in that state between 1993 and 1999, the parent had no idea that the child was in proximity to the pool, many believing that the child was playing in another part of the house or even in bed asleep. The report concludes: "In those situations parental supervision is irrelevant as a protective factor and a child resistant physical barrier is the only way to prevent a drowning."

SPASA's alternatives should not be seen as alternatives to isolation fencing but additional features of a unified effort to prevent toddler drowning. Kidsafe WA and ?? support the Minister and the State Government for the stance they have taken on pool fencing requirements and are considerably disturbed that the industry should attempt to discredit proven counter measures in such a manner.

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Division Patron: Professor Fiona Stanley, Director, TWV Channel 7 Institute for Child Health Research

However it wasn't over!

- 6 December 2001 – Hon Frank Hough MLC gave notice of a motion to disallow the Building Amendment Regulations 2001
 - Motion was moved 12 December 2001, debated and lost
- 13 March 2002 – the Environmental and Public Affairs Committee established an enquiry into private pool safety and pool fencing.
- Submissions were requested and received from:
 - RLSSWA
 - Kidsafe WA
 - SPASA
 - WALGA
 - Hon Tom Stephens MLC Minister for Housing Works and Local Government
 - RACP and TICHR

Our submission – RACP and TICHR

- Argued against watering down of the legislation
- Existing epidemiological evidence supported the use of Cat. 1 fencing to prevent drowning in the most vulnerable (1 – 4 years)
- Cochrane Library (Thompson DC, Rivara FP) concluded that Isolation fencing was superior to perimeter fencing (odds ratio 0.17)
- Local WA study (Mark Stevenson UWA) studying 50 drowning deaths in private swimming pools 1988 - 2000
 - 68% occurred in pools without four-sided fencing
 - Relative risk three-sided (cat. 2 and 3) v four-sided fencing (cat. 1) nearly twofold (IRR 1.78)
 - 59% of pool inspectors recommended compulsory four-sided fencing for all pools
- Queensland evidence (historical) showing that very similar legislation introduced in 1992 resulted in number of childhood private pool drownings dropped from 12 per year to 7 per year

The Report of the Standing Committee in Relation to Swimming Pool Legislation

December 2002 - Recommended

- that Category 2 – barrier fencing be made lawful for all pools, including those built after Nov 5 2001 and for new pools.
- That Building Amendment Regulation (No. 2) remain in force
- Concerningly it “quoted” Rob Pitt “the risk of drowning in a pool with isolation (cat. 1) fencing is similar to the risk from pools with three sided (cat. 2) fencing”
- “This is a complete fabrication and is manifestly untrue. I have never published because I recognise the significant limitations of the existing data in attempting to answer this question. Given that the WA report takes such extraordinary liberties with my opinions and reputation, it is unfortunate that no one from the WA Parliamentary Standing Committee sought my direct input.” (personal communications)

But

- After further consultation, the Government and the minister Tom Stephens stayed the course and did not reverse the legislation as recommended by the Standing Committee.
- Announcement made 26 February 2003 with Kidsafe WA and TICHR involved

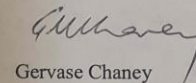
4 February 2003

The Editor
The West Australian Newspaper

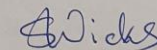
Pool Fencing

It is tragic that the death of two West Australian toddlers again highlights the dangerous period WA is entering in regard to swimming pool fence legislation. Publicity about whether a pool is fenced does not tell the full story. It needs to be stated that not all pool fencing is the same. We would point out that four sided fencing, with a fence and self-closing gate that separates the house and pool is the safest prevention to toddler drowning. There is clear epidemiological evidence that four sided fencing is safer with a reduced risk of toddler drowning of two to five fold over three sided fencing. After the passage of last year's long awaited legislation requiring all new pools to have four sided isolation fencing, we have now had a Standing Committee report recommending this to be watered down to three sided fencing. This is a tragic repeat of the reversal of similar legislation in 1993. Queensland introduced similar laws to the recent WA legislation in 1992 and have the evidence that as a result over 70 toddlers' lives have been saved. Despite this legislation, the number of pools in Queensland has tripled, indicating that although the saving of toddlers' lives should remain the priority, effective legislation does not necessarily interfere with the business of pool building/installation. The government must stand strong against the present efforts to reverse what is life saving legislation.

Yours sincerely



Gervase Chaney
State Chairman
Royal Australasian College of Physicians



Sue Wicks
Executive Officer
Kidsafe WA

Battles continued

Colin Barnett's Residents' Newsletter

Member for Cottesloe

SUMMER 2003-2004



Finding The Balance - Swimming Pool Fencing Regulations

With summer on our doorstep swimming pool safety is once again brought to the fore, particularly toddler drownings.

Throughout Australia drowning in home swimming pools/spas is the major cause of preventable death in children under the age of five. On average 7 toddlers per year have drowned in Western Australia over the past 5 years.

In nearly all these cases the toddlers had unsupervised access to water. This highlights the need for constant vigilance however, even the most vigilant parent can be caught off guard and a backup strategy to reduce the rate of toddler death through drowning is essential.

Clearly some form of fencing is required, along with a commonsense approach to dealing with this very serious issue.

Basically fencing can be imposed at three levels:-

- Category 1 - The highest safety standard is isolation fencing, where the pool has fencing 1.2 metres high isolating it from

the remainder of the property, or it is a combination of fencing and building walls that do not have doors. Any windows must be constructed so that young children cannot gain access through them into the pool area. Gates must open away from the pool and be self-closing and self-latching.

- Category 2 - Barrier fencing, where there is a combination of fencing and self-closing or self-latching doors. It is the same as Category 1 isolation fencing, but it also allows for self-closing and latching doors that comply with Australian Standards.
- Category 3 - Perimeter fencing, the least invasive, where the pool is fenced in a manner that restricts access to it from neighboring properties and the street.

The key points are:-
What level of fencing is necessary to

minimize toddler drowning without imposing unnecessary and unrealistic restrictions on all pool owners? and

Is the barrier that is in place effective?

Regulations recently outlined in Parliament may not have found the right balance between catering for those people who have toddlers and the rest of the population who do not have toddlers on the scene.

Under these regulations all new pool owners must have Category 1 - (isolation fencing) around a pool or spa, despite the fact there are no statistics to show that isolation fencing is any more effective than barrier fencing in reducing the incidence of toddler drowning.

All owners of existing pools built prior

Editorial

Perth's western suburbs offer a unique lifestyle, which we all enjoy and want to protect.

We also want the right to live our lives as we wish. People quite rightly resent restrictions on themselves or their property.

This ongoing dilemma again features in this newsletter.

Swimming pool fencing is a worthy safety measure, but also a nightmare for courtyard gardens.

For elderly residents, a shortage of care options can unfairly force people out of the area and away from family and friends.

For young people, the 'local pub' is the meeting place and an essential part of their lifestyle.

These are some of the issues canvassed in this issue of my newsletter. I welcome your comments.

With my best wishes for a happy and safe Christmas and holiday season.

Col Barnett



Toddlers and pools - a potentially dangerous combination.

(Continued on page 2)

For residents in Claremont, Cottesloe, Floreat, Karrakatta, Mosman Park, Mount Claremont, North Fremantle, Peppermint Grove, Shenton Park, South City Beach, Swanbourne.

4 Warden St
Claremont
WA 6010

4 February 2004

Hon. Colin Barnett, MLA
Member for Cottesloe
Leader of the Opposition
Suite 12, 589 Stirling Hwy
Cottesloe WA 6011

Dear Mr Barnett

Re: Swimming Pool Fencing Regulations

It was with great concern that I read your summer 2003-2004 Resident's Newsletter and what it had to say about swimming pool fencing regulations. I am one of your constituents, a paediatrician and a long-term proponent of the existing or even tougher pool fencing legislation. As you pointed out about seven toddlers a year drown in Western Australia, mostly in private swimming pools, making this the leading cause of accidental/injury death in this age group. Despite this and your recognition of fencing's pivotal role in prevention, I was extremely concerned to read that you are proposing to wind back requirements to a level even less than that introduced by the previous coalition government.

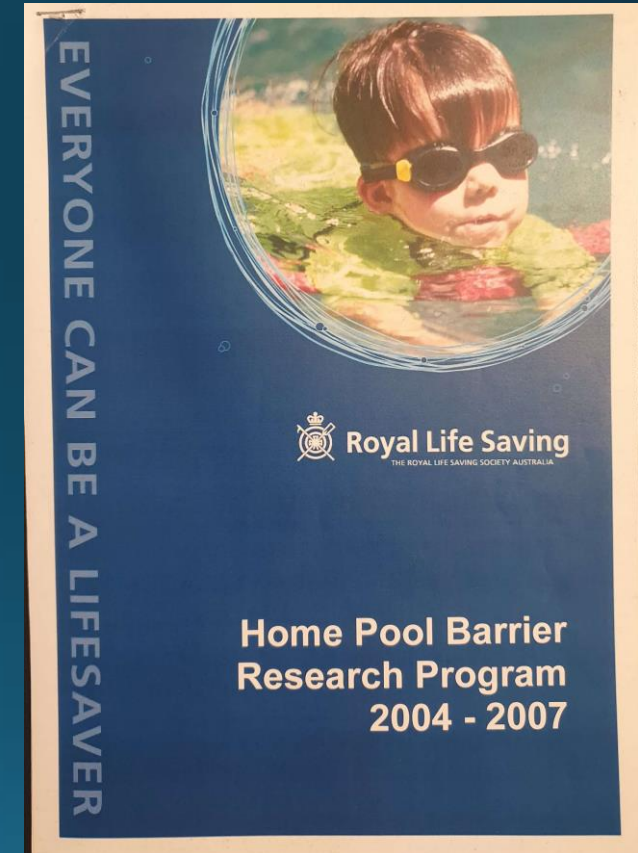
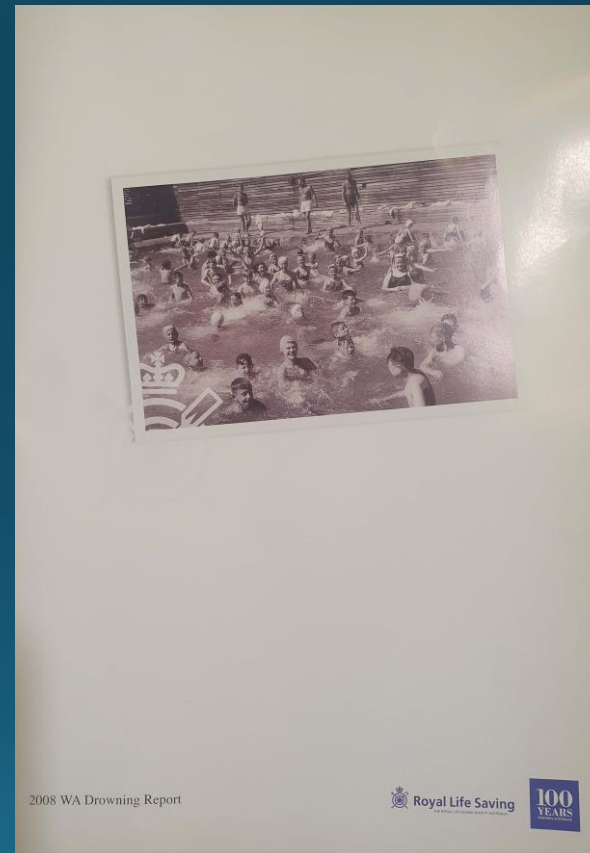
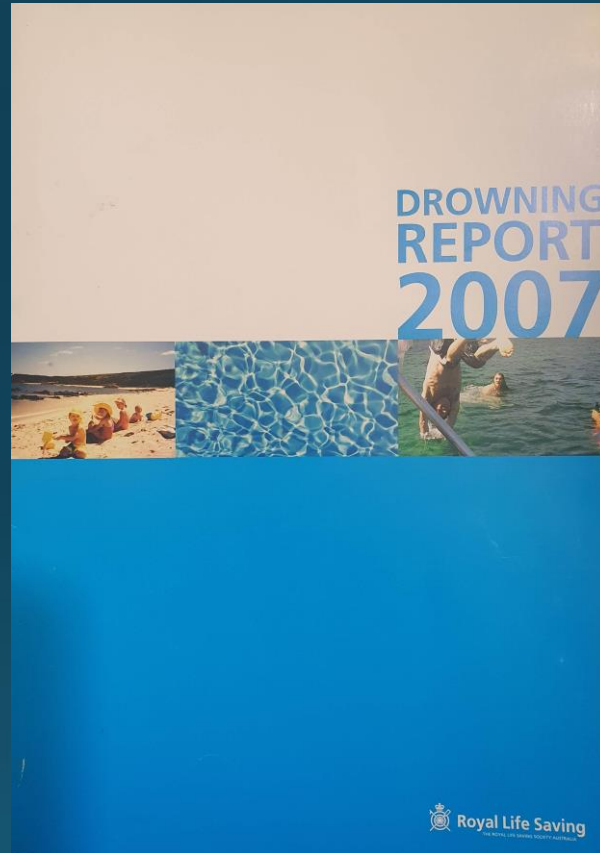
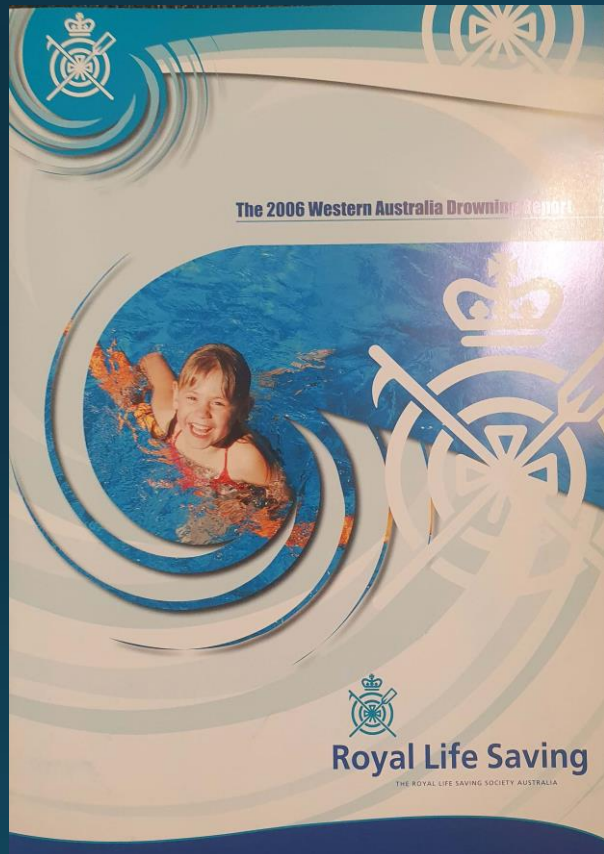
The only intervention that has shown to be effective in reducing in toddler deaths has been universal category 1 pool fencing legislation. The present level of legislation, ie. category 1 for new pools and category 2 for existing pools has been implemented in Queensland for more than a decade (since 1991). In that time there has been an almost halving in their toddler drowning numbers, the community have accepted the requirements and it has not evidently slowed the installation of pools (the numbers of pools more than doubled over 10 years).

The proposal to only require parents of young children to have category 1 or 2 fencing is unrealistic and inappropriate. Houses and pools change hands and more than one third of toddler pool drowning occur when the child is a visitor to the house. In addition all successful preventative measures work only when introduction is universal. Category 3 fencing has been shown to be inadequate and present evidence is unable to demonstrate that category 2 fencing is as effective as category 1. In fact indications from Queensland would be that it is less effective. In fact, our preference would be for category 1 fencing for all, however we recognise that this is not realistically going to be introduced. The Queensland experience would reassure us that the existing legislation will save the lives of 3 to 4 Western Australian children per year. Of course, whatever the legislative requirements, enforcement and compliance are essential.

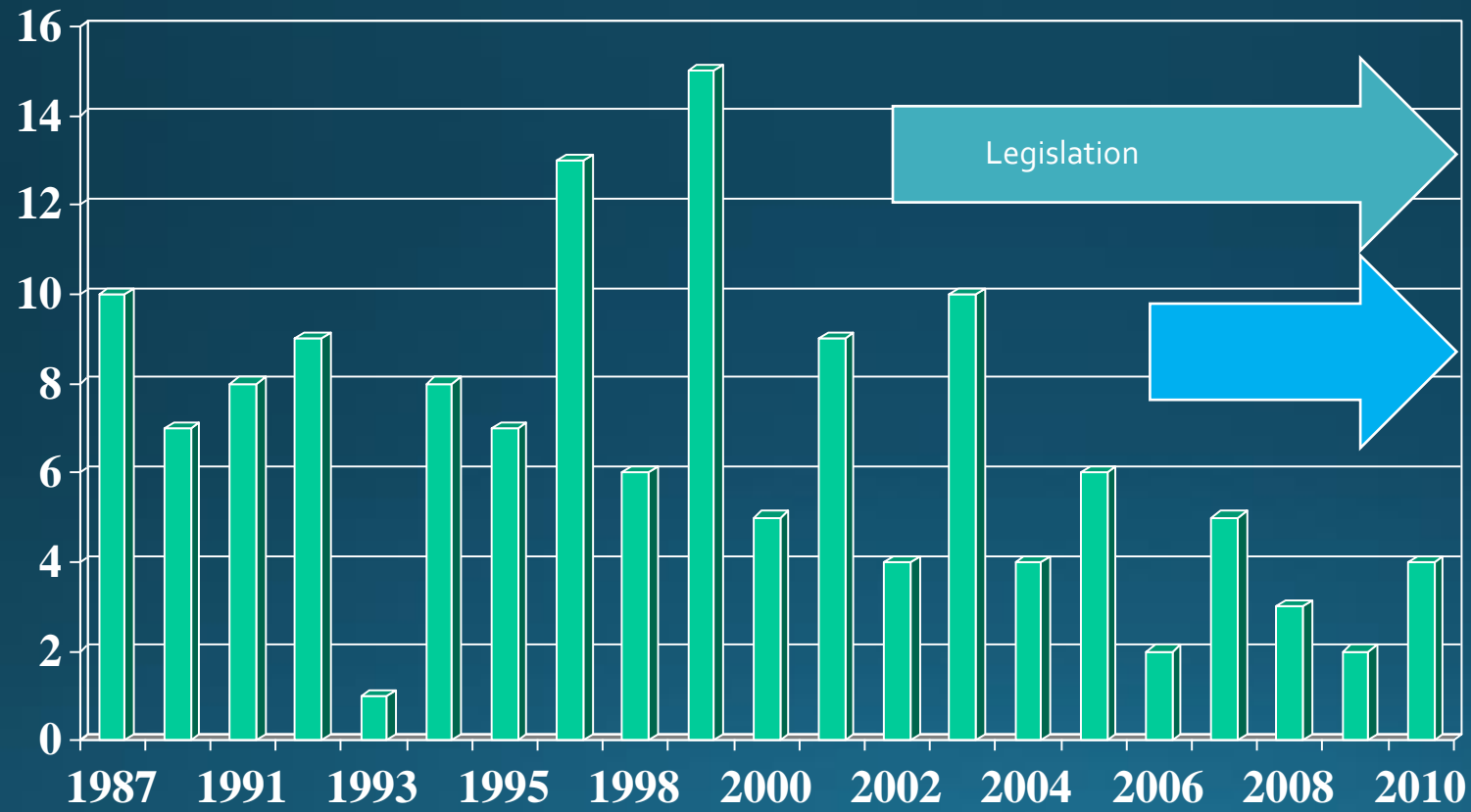
As you probably know, after being in place for less than a year, four-sided pool legislation was repealed by the coalition government following their election in 1993. It was only reintroduced almost a decade later by the present government, putting us about 10 years behind Queensland in toddler drowning prevention. I would hope that you would reconsider your position and not looking at a repetition (or worse) of that mistake of 1993. Especially at the potential cost of 3 or 4 children's lives per year.

I would like to meet you to discuss this in detail and present the evidence for keeping the present legislation.

RLSSWA Reports on Drowning

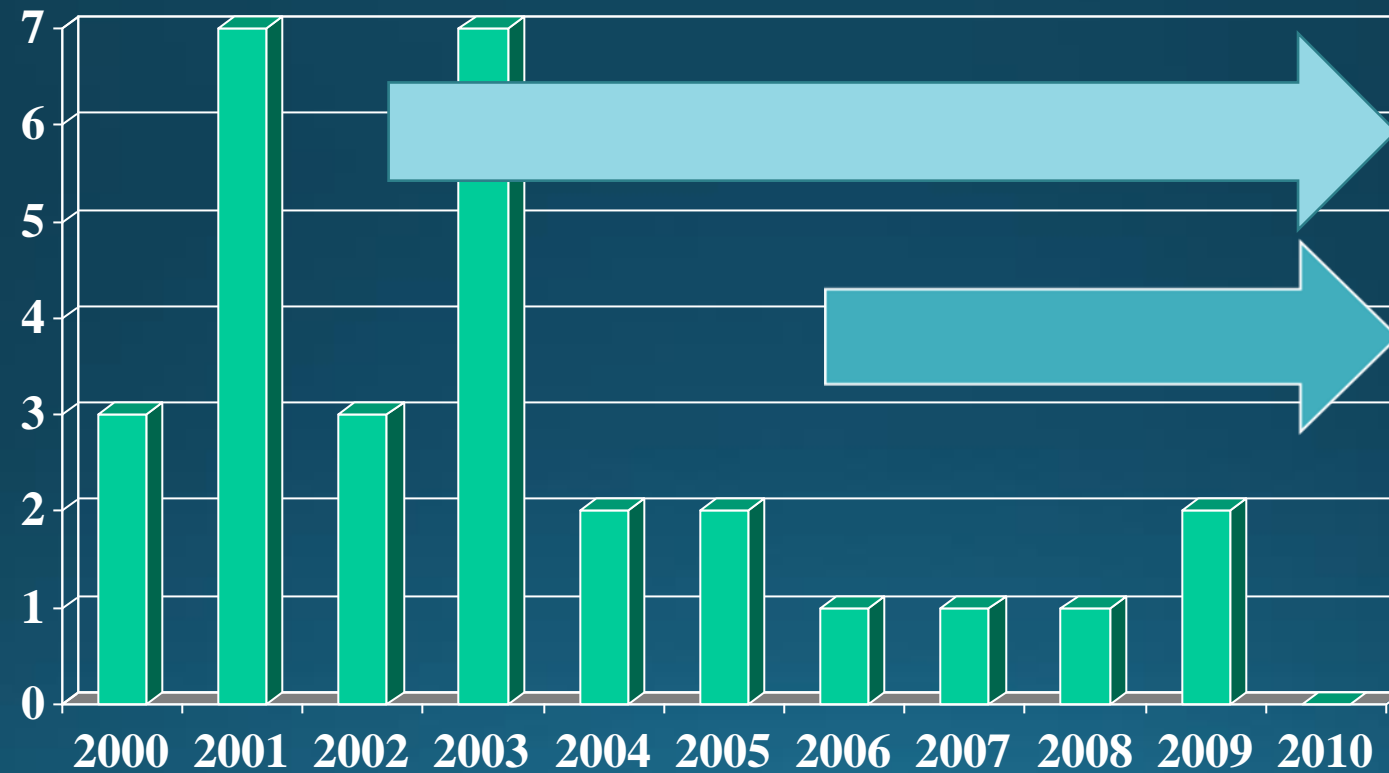


And the Result: Toddler drowning (Western Australia)



Mean Deaths
1990's = 7.4
2000's = 5
2006-2010 = 3.2

Toddler drowning – swimming pools



What I learnt about health advocacy?

- If it's worth fighting for, it's worth persisting
- You need fellow fighters – from reputable organisations
- You need the evidence
- You need to look at all opportunities
- Politicians are looking for partners/support
- There will always be opposing voices – often loud and better funded
- It's hard to understand all motivations
- Together we can make a difference

In memory of Dr Philip King
9 December 1942 – 5 June 2004

