

# Queensland Family and Child Commission Submission

To: Australian Competition and Consumer Commission (ACCC)

Date: 25/11/2016

Topic: Review of the mandatory safety standards for swimming and flotation aids

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## Queensland Family and Child Commission

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## Submission summary

This submission provides information from the Queensland Child Death Register on deaths of infants and children who drowned in pools, to inform the ACCC's review of mandatory safety standards for swimming and flotation aids.

The Queensland Family and Child Commission (QFCC) emphasises that children are most at risk of drowning when there is a lapse of adult supervision, and the use of swimming and flotation aids should never be considered a substitute for supervision. Children and young people under the age of 16 are not capable of providing adequate supervision for young children while swimming and should not be relied upon to prevent young children from drowning.

The safety message on swimming and flotation devices, particularly around the fact that swimming and flotation aids will not protect children from drowning provides a valuable opportunity to reinforce prevention messages regarding swimming safety. Specifically, around the need for children to be continually supervised by a person who is over the age of 16 while they are in, on or around water.

In response to the ACCC's consultation questions on safety standards for swimming and flotation aids, the QFCC supports:

- adopting options 2 or 3, as both of these options mandate an improved safety warning in relation to the risk of drowning when using swimming and flotation aids
- the warning label to include a message about the need for competent adult supervision when children are swimming, and
- the warning label to include a message about the need for the swimming and flotation aids to be fully inflated before they are used in order to maximise their effectiveness.

The Queensland Family and Child Commission (QFCC) is pleased to provide a submission to the ACCC regarding the review of the mandatory safety standards for swimming and flotation aids.

The QFCC is responsible for maintaining a register of all child deaths in Queensland and providing the [Annual Report: Deaths of children and young people, Queensland](#) each year. This role allows the QFCC

to review the circumstances and causes of child deaths and identify risk factors, patterns and trends. This information can be used to inform and improve child death and injury prevention efforts. The QFCC's Queensland Child Death Register contains detailed data in relation to natural and non-natural deaths of children and young people registered in Queensland since 1 January 2004.

## Pool drowning deaths of children from January 2004 to November 2016

The Queensland Child Death Register information on pool drowning deaths from January 2004 to November 2016 indicated that there have been a total of 183 drowning deaths between January 2004 and November 2016. Out of these 183, 73 children and young people have drowned in swimming pools. Sixty of these children were aged between one and four years. This submission focusses on the drowning deaths of children in swimming pools as this data is most relevant to the consultation.

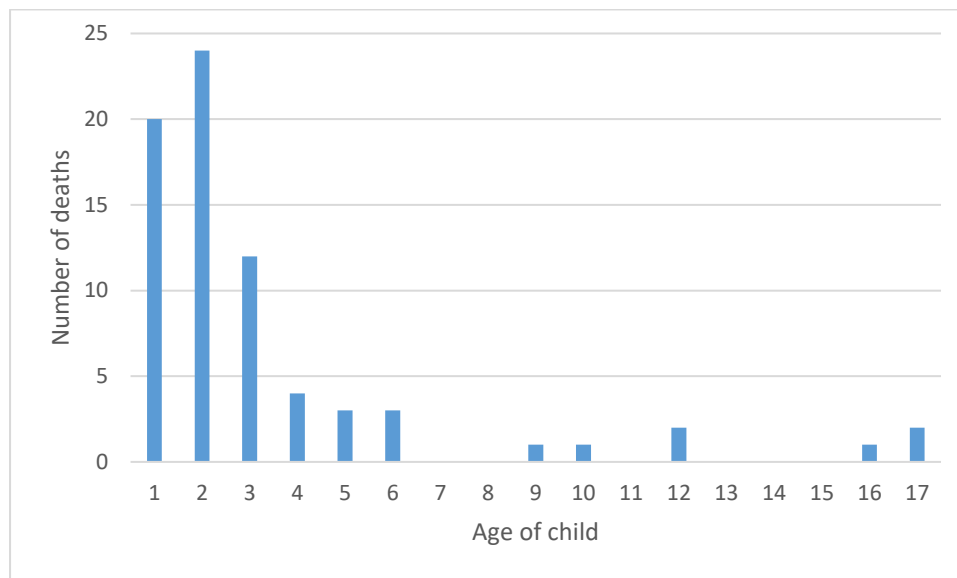
Of the 60 children aged 1-4 years who drowned in swimming pools:

- All of the drownings occurred during a lapse of adult supervision.
- 28 children were known to be in or around water at the time they drowned. In 5 of these cases the children were being supervised by other children who were under the age of 16.
- The remaining 32 children were not known to be around water at the time that they drowned, meaning they gained access to pool without the knowledge of the supervising adult.
- None of swimming pool drowning deaths involved the use of a swimming or flotation aid.

## Age of children drowned in swimming pools

As indicated in Figure 1, the majority of children who drowned were aged 1–2 years.

**Figure 1: Swimming pool drowning deaths of children by age, Queensland, 2004-2016 (*n* = 73)**



## Lapse in adult supervision

All of the pool drowning deaths of children aged 1-4 years where the children were known to be in or around water, occurred during a lapse in adult supervision.

The key reasons that the children were left unsupervised while in, or around water include:

- tend to other children
- prepare food
- confusion over who was supervising the children
- supervision was being provided by other children
- use the toilet

Continuous adult supervision of children aged between one and four years who are in, on, or around water is one of the most effective ways to prevent children from drowning. Children should never be left unsupervised while swimming – even if they are wearing a swimming and flotation aid.

## Response to consultation questions

### Question 1

Which policy option do you support?

The QFCC supports the ACCC's position to adopt either options 2 or 3. As both of these options mandate an improved safety standard which emphasises the fact that swimming and flotation aids will not prevent children from drowning and are not a substitute for adult supervision.

The QFCC strongly supports the use of pictorial safety warnings in addition to written warning set out in the European Standard as this could ensure people from non-English speaking backgrounds understand the safety warnings. The QFCC also supports the additional warning message that the swimming and flotation aids should be fully inflated before they are used in order to maximise their effectiveness.