

Queensland Family and Child Commission Submission

To: Australian Competition and Consumer Commission (ACCC)

Date: 17/11/2016

Topic: Review of the mandatory safety standards for baby bath aids

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 young children who drowned while being bathed, to inform the ACCC's review of mandatory safety standards for baby bath aids.

The QFCC emphasises that children are at most risk when there is a lapse in adult supervision. The use of bath aids or co-bathing with other children should never be considered a substitute for adult supervision. The safety message on bath aids is a valuable opportunity to reinforce prevention messages about bathing children, and should refer to the greatest risks for children and not just those that relate to the use of a baby bath aid.

In response to the ACCC's consultation questions on safety standards for baby bath aids, the QFCC supports:

- A combination of options 2 and 3, which relate to improving the permanence and legibility of the safety warnings that are adhered to bath aids.
- Adoption of the ASTM standard, which includes performance requirements that address additional safety risks of falls, lacerations and choking, in addition to specific tests for warnings labels and performance.
- A warning label that includes a message about the hazards of co-bathing.

Data for prevention activities

QFCC collects, analyses and publishes information about child deaths to help prevent future deaths and serious injuries. We work with researchers and other agencies to raise community awareness and develop prevention programs and policies, by identifying risk factors, trends and emerging safety hazards. QFCC can provide detailed child death data to researchers and organisations, at no cost – please email child_death_prevention@qfcc.qld.gov.au

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 baby bath 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.

Drowning deaths of children while bathing from January 2004 to September 2016

The Queensland Child Death Register information on child drowning deaths while bathing both with and without the use of bath aids from January 2004 to September 2016 indicates that eighteen infants and children under the age of 4 drowned in bathtubs in Queensland over the 12 year period. However, three of these deaths involved children who were not known to have been bathing at the time of the death incident.

The following information relates to the 15 deaths of children known to have been bathing at the time of the death incident.

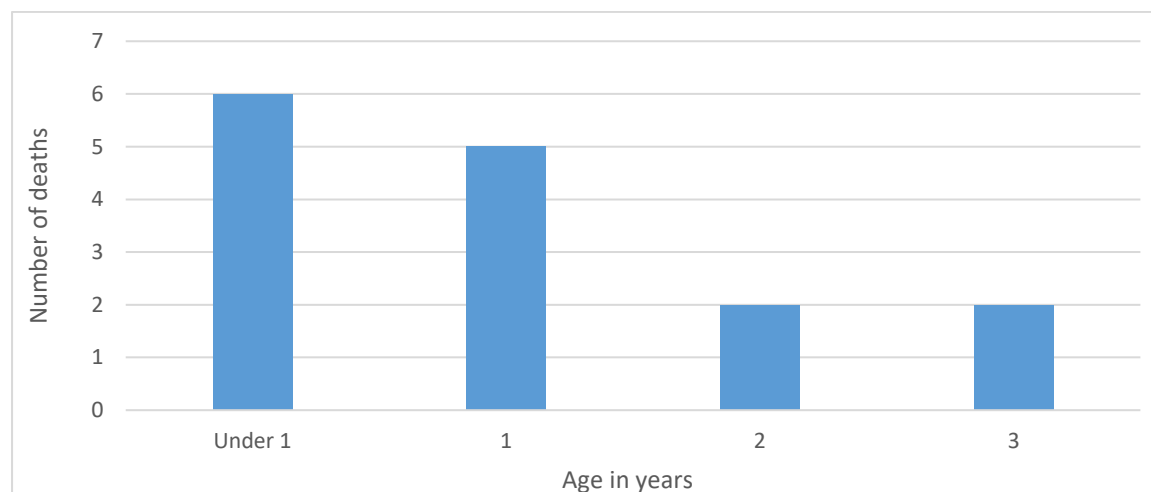
Of those 15 infants and children known to be bathing:

- All of the children drowned during a lapse in adult supervision.
- One death involved the use of a baby bath aid.
- The deceased child was co-bathing with another child in 11 out of the 15 deaths.

Age of child drowned while bathing

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

Figure 1: Bathing deaths of children by age, Queensland, 2004-2016 ($n = 15$)



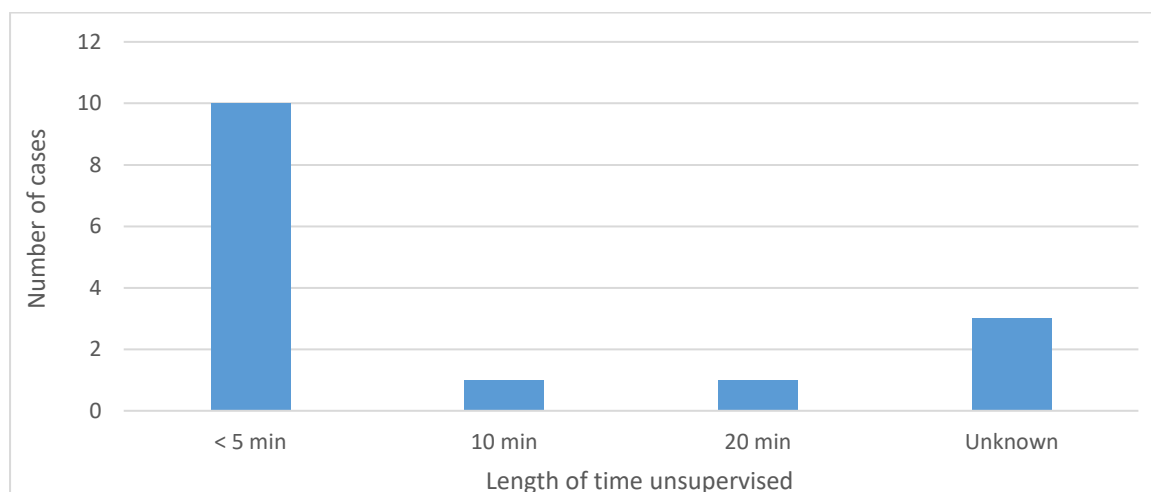
Baby bath aids

There was one drowning death in Queensland in the last 12 years that has involved the use of a bath aid. This death involved an infant who was left under the supervision of an older sibling while in a baby bath seat. It is unknown whether sufficient warning labels were affixed to the bath aid.

Length of time without adult supervision

All of the bathing related drowning deaths occurred when there was a lapse in adult supervision. As illustrated in Figure 2, a child or infant can drown when left unattended for even the shortest period of time. Of the 10 cases where children and infants were left unattended for less than 5 minutes, the supervising adults stated that they left the children unattended for 3 minutes or less in 7 of the cases.

Figure 2: Bathing deaths of children by length of time without adult supervision, Queensland 2004-2016 (*n* = 15)



Note: Times are estimates based on information provided to police by the supervising adult.

The key reasons that parents or caregivers left infants or children unsupervised while bathing include to:

- Answer the phone
- Collect clothes
- Prepare food
- Tend to other children
- Use the toilet
- Give the children more time to play in the bath

Response to consultation questions

Question 1

Do you support the ACCC's preliminary position to adopt Option 2 or 3? If so please specify the option you prefer best or whether you support combining the two.

The QFCC supports the ACCC's position to adopt a combination of options 2 and 3. This will not only improve the permanence and legibility of the safety warnings, it addresses the additional safety risks associated with bath aids such as falls or choking.

The QFCC strongly supports the use of the ASTM safety warning, particularly around the emphasis that a bath aid is not a safety device and that children and infants require constant supervision while bath aids are being used. Bath aids are not supervision replacements. The QFCC also supports the incorporation of a safety standard needed to address the additional safety concerns presented by bath aids.

Question 4

Is it important for the warning label to address the hazard of co-bathing?

The QFCC strongly supports including a message about co-bathing on the label. The label is an important opportunity to reinforce key messages in relation to bathtub safety. Particularly, that the presence of other children in the bath is not a substitute for adult supervision.

Out of the 15 deaths that occurred while children and infants were left unsupervised while bathing, 11 of these involved co-bathing. While this could indicate that co-bathing itself creates an increased risk of drowning, it is more likely that the deaths occurred due to the lapse in adult supervision rather than the co-bathing itself.

The QFCC emphasises that regardless of whether or not a bath aid is being used, children and infants should never be left unattended while bathing for any period of time. This means that all infants and children should actively supervised by an adult, and be within arm's reach at all times while in or around water. If for any reason the supervising adult needs to leave the bathroom, the children should first be removed from the bath. Further, children and infants should never be left under the supervision of another sibling, as the presence of another sibling is not sufficient to prevent a child from drowning, nor will it ensure that a supervising adult will be alerted to the fact that an immersion incident has occurred.