Deaths of children in NSW in 2015: Drowning


In 2015, 504 children aged from birth to 17 years died in NSW in 2015; a mortality rate\(^1\) of 29.61 deaths per 100,000 children.

At the time of writing, a cause of death was known for 458 children. Nine of the children died as a result of drowning; seven children drowned in private swimming pools, one child drowned in a bath and one child in a lake. Seven of the children were under five years of age.

Trends in drowning deaths of children

While the rate of drowning deaths overall in 2015 was one of the lowest rates since 2001, drowning was the leading cause of unintentional injury-related death of children aged 1-4 years in NSW.

The mortality rate of children from drowning declined overall between 2001 and 2015. However, the rate of drowning in private swimming pools in 2015 (0.41) was the highest since 2009.

Identified risk factors: drowning

The risk factors associated with drowning vary in part according to the child’s age and developmental status and the type of body of water.

As has consistently been the case, drowning incidents in recreational circumstances in 2015 occurred in the context of the child having ready access to water at a time they were unsupervised. All of the children were out of sight of adults for periods ranging from some minutes to over an

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\(^1\) Crude mortality rate - deaths per 100,000 people under 18 years of age. For children aged less than 12 months, this report uses the Infant Mortality Rate, which is deaths of infants under 12 months per 1,000 live births.
hour. Supervising adults were either otherwise occupied for a short period of time, or believed the child to be safely with others or asleep in bed.

In regard to swimming pools, the safety barrier for each of the seven private pools in which children drowned in 2015 was defective and non-compliant with relevant legislation.

**Private swimming pools – drowning deaths 2006-2015**

In a review of swimming pool drowning deaths of 70 children over the ten years from 2006 to 2015, the CDRT found that:

- The majority (61) of the children who drowned in private swimming pools were under five years of age, and most of these children (53) were aged two years or less.
- The majority (48) of the fenced pools in which children drowned had one or more faults with the child resistant safety barrier.
- At least 20 pools in which children drowned were eligible for exemption from current barrier compliance standards, almost all of these pools were fenced, but the barrier fencing was not compliant.
- Thirteen pools were unfenced, including 10 portable pools.

All children under five years who drowned did so in the absence of adult supervision. This ranged from clearly inadequate supervision, to carer distraction or misunderstanding of the whereabouts of the child. There is a clear nexus between lack of direct supervision, even for very short periods of time, and faulty child resistant barriers.

**Faulty gate latch mechanisms were the most common barrier defect through which young children accessed the pool.** Gate latches are common weak points in pool barriers as they comprise moveable parts which must align for effective operation.

**Access to Standards Australia standards for child resistant safety barriers is limited.** Child-resistant pool safety barriers comply with specific standards established by Standards Australia, which are available for purchase, and cannot be published.

**One in five swimming pools in which children drowned in the ten years 2006-2015 were portable.** Ten of the 13 portable pools in which children drowned over the decade required a child-resistant safety barrier under the Swimming Pools Act, however most were unfenced.

**Effectiveness of the compliance regime should be publicly reported.** There is little publicly available data on the number of inspections carried out and the level of compliance with legislative requirements.

**In this context the CDRT has recommended that:**

**The Office of Local Government:**

- work with local councils to prioritise inspection of pools at locations where children reside or regularly visit, and rental properties with pools
- consider an application to vary the standard AS 1926.1-2012 to include requirements for tolerance and movement of self-closing gate latch mechanisms
- publish annual data from its analysis of the swimming pool register.

**The NSW Government:**

- Amend the *Swimming Pools Act 1992* to:
  - include a single standard for NSW for child resistant swimming pool safety barriers, aligned to national standards, in order to enable the relevant state agency or agencies to interpret and provide guidance on required standards to pool owners and the general public
  - remove automatic exemptions from swimming pool safety barrier requirements
  - require persons purchasing a portable swimming pool that is subject to the requirements of the Act to register the pool at the point of sale.

**Observations and issues**

An independent swimming pool barrier review was commissioned by the NSW government in 2015. The report has not been released and is under consideration by government. In that context, we note:

**Children under five are most at risk of drowning in backyard pools.** We have previously recommended that priority for inspections should be pools at properties where young children reside.

**Almost all of the swimming pools eligible for exemption from pool barrier requirements were fenced.** Although fenced, the barriers were mostly non-compliant with the *Swimming Pools Act 1992.*
Since 1996, the CDRT has been responsible for reviewing and reporting to the NSW Parliament on all deaths of children aged less than 18 years in NSW. The CDRT maintains a register of child deaths in NSW. The Team consists of experts in child health, child protection and related areas, and representatives of key government agencies. The Convenor of the Team is the NSW Ombudsman, and Ombudsman staff provide support and assistance to the Team.