

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>The Parliamentary Under Secretary of State for Children & Families Sanctuary Buildings 20 Great Smith Street WESTMINSTER London SW1P 3BT</p> <p>The Secretary of State for Communities and Local Government 2 Marsham Street London SW1P 4DF</p>
1	<p>CORONER</p> <p>I am Claire Balysz, Assistant Coroner, for the Coroner area of Wiltshire & Swindon</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 15 July 2014 an investigation was commenced following the death of a 3 year old boy who was found lying at the bottom of a family swimming pool. The Inquest was concluded on the 15 April 2015. My conclusion at Inquest was that Jack died as the result of an accident and the cause of death was</p> <p>1a) Multi organ failure with bronchopneumonia following an out of hospital cardiac arrest b) Immersion in water (drowning)</p>
	<p>CIRCUMSTANCES OF THE DEATH</p> <p>On 9 July, Jack's mother left him in the care of his 20 year old brother whilst she took her daughters to a school disco, having done so on previous occasions. Jack was watching a DVD with his brother when she left. Roughly half an hour later she received a call from her step son saying that Jack was missing. After a search his body was found at the bottom of the family swimming pool.</p> <p>Jack had previously not shown any interest in the swimming pool and had to be encouraged to go in. However, the previous Saturday he had been watching his friend play by hitting the surface of the water with a toy brush. This brush was found floating in the swimming pool when Jack was discovered.</p> <p>The swimming pool was not fenced.</p>

5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>I received evidence that in Australia and France it is compulsory to fence private swimming pools with child resistant barriers. I am concerned that the lack of regulations in the UK could contribute to future death from children drowning in unfenced swimming pools.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>To review law and building control for existing and new pools to consider making it compulsory to have child resistant barriers around private swimming pools as it is in Australia and France.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 18 June 2015. I, the Assistant Coroner, may extend the period.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons - [REDACTED] (Parents) and RoSPA, Birmingham.</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>22 April 2015</p> <p>[REDACTED]</p> <p>Dr. Claire Balysz Assistant Coroner for Wiltshire & Swindon</p>