

## INQUEST REPORT

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### Bronte Creek Provincial Park Recreation Complex – David Haas

#### Incident scenario & summary of facts

**Name of deceased:** David Martin A. Haas

**Date and time of death:** July 7, 1993, 6:39 p.m.

**Place of death:** Oakville Trafalgar Memorial Hospital

**Cause of death:** Asphyxiation by Drowning

**By what means:** Accident

**Location:** Bronte Creek Provincial Park Recreation Complex

**Activity taking place at time of drowning:**

Twenty-year-old David Haas had a history of epileptic seizures, of the complex partial type, which were poorly controlled by medication.

While swimming with family and friends, David disappeared from view. Evidence presented suggested that there was an indeterminate time during which he was submerged.

When alerted to a potential problem, the lifeguards were not able to see his body lying on the bottom of the pool from their positions on their towers. Surface glare may also have been a significant contributor.

When David was pulled from the water, the lifeguard staff initiated CPR. During the resuscitation, the first "bumpack" arriving at the scene did not contain a pocket mask, apparently because there was a shortage and they were back-ordered. Mouth-to-mouth resuscitation was commenced immediately.

The Fire Department was notified by direct telephone at 5:57 p.m. and an emergency crew equipped with defibrillator arrived at the pool at 6:07 p.m. Ambulance attendants arrived a few minutes later and proceeded to transport the victim to the hospital. The defibrillators utilized by both the Fire Department and the ambulance personnel did not indicate at any time that a "shockable" cardiac rhythm existed.

Evidence was presented that David's mother had telephoned the Park one week prior to the visit to inquire as to whether epileptics could swim at the facility. It was suggested that David make his condition known to the lifeguards and wear a Medic Alert tag so that they might keep vigilant watch over him. David did not do this and the guards remained unaware of his condition.

The swimming pool at Bronte Creek Provincial Park is classified as a Class “A” modified pool under the Health Protection and Promotion Act, 1983. It covers an area of 1.8 acres and holds 1.3 million gallons of water. The pool is “saucer shaped” being shallow around the edges and becoming progressively deeper as one proceeds towards its maximum depth of six feet at the centre.

For the lifeguards, there are seven towers around the perimeter of the pool and two towers (Numbered 10 – 11) in the deepest sections in the water. The number and location of towers staffed by guards at any time is dictated by the pool supervisor and is determined by a number of factors. These include: the bather load, bather locations within the pool, water clarity, glare from the sun, etc.

At all times, the number of guards met or exceeded the required minimum. The maximum number of people permitted into the pool area at any time is 2050. The number present at the time of this incident was approximately 60-70. The jury heard evidence that, at times, communications can be difficult due to the distances between them and because of background noise levels caused by bathers. The pool had been operating since 1977 with no fatal aquatic incidents. Shortly after this occurrence, a large sign was installed on the wall of the pool near the entrance to the pool complex, indicating that persons with serious medical problems should inform the supervisor.

## JURY RECOMMENDATIONS

1. (a) That the notice: “Any people with a serious medical condition please inform the supervisor at the pool office.” be placed in a more prominent location and be increased in size in order to attract the attention of patrons.  
(b) That duplicate signs be provided inside the pool facility in highly visible locations.

### Lifesaving Society Admittance Policy for those with Medical Conditions

The Society’s research and experience with serious incidents in public swimming pools shows that individuals with a serious medical condition are at greater risk while swimming. They should be accompanied by an individual knowledgeable of their condition and responsible for their direct supervision.

2. That the regular safety checks (clearing the pool) include a public announcement of the above notice.

### Lifesaving Society Notes

The Society does not support this recommendation. While this message could be mentioned during pool checks, it is not reasonable to expect it to be mentioned at all times. This notice should be considered as one of many that are selected for review at pool checks.

3. That outdoor pool facilities include as standard issue non-glare sunglass lenses to all lifeguards.

## Lifesaving Society Notes

The Society recommends that all lifeguards at outdoor facilities wear standard equipment including sunglasses that are non-glare and block UVA and UVB. This equipment will improve visibility.

4. That the megaphone be issued and maintained in working order as standard tower equipment.

## Lifesaving Society Notes

The Society supports the need for a communication system. The facility should put in place a suitable system to address the facility's needs and maintain the system in working order.

5. That "bumpacks" be identified to correspond to tower locations.

## Lifesaving Society Notes

The Lifesaving Society does not endorse this recommendation. The contents of all first aid kits should be checked daily and then recorded on the daily log. In this way, all kits will be properly stocked and in the appropriate location. The Society also recommends that pocket masks be included in the contents of a first aid kit.

6. That (the facility) maintain minimum surplus equipment on hand (refills) to avoid problems encountered by back ordering.

## Lifesaving Society Notes

The Society recommends that the required equipment be maintained as directed by the Regulations governing public swimming pools in Ontario.

7. That the signs be displayed clearly on towers 10 and 11 to indicate the pool depth.

## Lifesaving Society Notes

The Society endorses this recommendation. This is specific to Bronte Creek: it should not have provincial applications to other aquatic facilities.

8. That the depth of the pool be indicated on the pool floor at the two foot, four foot and six foot levels at various intervals around the pool.

## Lifesaving Society Notes

The Lifesaving Society endorses this recommendation. This is specific to Bronte Creek. How or where the depths are marked should be determined by each facility.

9. That the tower 10 and / or 11 be staffed over and above the number of guard deemed necessary on the perimeter of the pool.

## Lifesaving Society Notes

This recommendation is too specific and inflexible. Instead, the Society recommends an in-depth study of Bronte Creek pool to determine lifeguard positioning and rotation.

10. That *all* towers at Bronte Creek Provincial Park have telephone access to the supervisor's office and to each other.

## Lifesaving Society Notes

The Society supports the need for a communication system between lifeguards. The facility should put in place a suitable system that will ensure appropriate communication between all lifeguards and should maintain the system in working order.

11. That a written policy be drafted concerning glare that pertains to the operation of all outdoor swimming facilities.

## Lifesaving Society Notes

This is too narrow a suggestion. A lifeguard must be able to see all areas of responsibility. Procedures should be developed to deal with anything that impairs this ability to see the pool bottom including glare, water clarity, and structural obstacles.

12. That simulation of emergency situations on-site be considered as another training tool.

## Lifesaving Society Notes

The Society endorses this recommendation.

13. That the Burlington Firefighter Emergency Unit have available, and enter into training in the use of defibrillator units (because the Park is on the border between and likely to be served by both Oakville and Burlington).

## Lifesaving Society Notes

The Lifesaving Society endorses the placement of defibrillators in firefighter emergency units.

14. That the Ministry of Health of Ontario investigate the feasibility of including defibrillation units and training into any tiered emergency response system.

## Lifesaving Society Notes

The Society endorses this recommendation.

15. That because we (the jury) do not have enough information to make specific recommendations concerning appropriate equipment, we further recommend that the Ministry of Health and the

Royal Life Saving Society Canada discuss the use of defibrillator units and / or oxygen bag-valve masks on-site at public swimming areas.

### Lifesaving Society Position on the use of Automated External Defibrillators

The Lifesaving Society supports the use of automated external defibrillators (AEDs) by lifeguards who are trained in the use of the machine (and associated issues related to outcomes, stress and grief) within a community emergency response system based on the chain of survival.

16. That the Ministry of Health initiate a feasibility study in the training and use by ambulance personnel of endotracheal intubation devices.

### Lifesaving Society Notes

The Lifesaving Society endorses this recommendation.