



11 September 2024

The Registrar
Coroner's Court of Victoria
65 Kavanagh Street
Southbank VIC 3006

Email: cpuresponses@coronerscourt.vic.gov.au

Dear Registrar

RE: COR 2018 005489 Inquest into the death of Baby M

We refer to the findings and recommendations of Coroner Simon McGregor handed down on 1 July 2020 following the Coronial Investigation into the death of Baby M and to our previous letter in relation to this matter dated 1 October 2020.

As noted in our letter, Standards Australia asked Technical Committee CS-034 *Swimming and Spa Pools* to investigate the requirements of pool gate hinges in the context of AS 1926.1:2012 as per the Coroner's recommendation.

After consideration of the Coroner's recommendation, CS-034's view is that requirements to use specific materials or mechanisms in the construction of pool hinges is unlikely to achieve the aim of preventing degradation of pool fences, particularly in conditions of disuse. This is due to a range of factors including the varied and often harsh weather and other environmental conditions to which pool fences are exposed across Australia. The Committee is not aware of any materials or mechanisms that would be immune to degradation across all environments in the absence of regular maintenance. The Committee's view is therefore that the goal of preventing degradation is to be achieved by regular inspection and undertaking appropriate maintenance.

AS 1926.1:2012 is intended to avoid pool-related drowning by providing design, construction and performance of various barrier options, which are designed to restrict entry to the swimming pool area by young children. As noted in the Preface to the standard, the provisions are intended to be child resistant but not childproof, as effectiveness of the barrier is very much dependent on its location, installation and maintenance.

The Committee also noted that many local jurisdictions and planning controls specify requirements for pool owners to keep pool barriers in a working condition. The Standard is intended to complement rather than be a substitute for these legislative requirements, with maintenance requirements excluded from the scope of the Standard.

As part of its current project to revise AS 1926.1, the Committee has made three changes that it believes will help address this issue:

1. Text is included in the Introduction section of the Standard to provide clarification that the effectiveness of the safety barriers described in the Standard relies on maintenance to ensure the pool safety barriers, including the gate and fittings, remain in working order.
2. The testing requirements for the durability of gate components (Clause 3.6) has increased from a 10,000 operations cycle to 25,000 operations cycle.
3. The marking requirements of latches and hinges (Clause 2.4.4.4) now requires that each latch and hinge clearly identify the supplier with permanent markings to assist with

increased traceability if issues are later identified. Previously, this was only required on the unit and not the individual components.



Yours sincerely

A handwritten signature in blue ink, appearing to read 'C Forsyth'.

Christina Forsyth
General Counsel
Standards Australia Limited