



## NEWS

An ounce of prevention is worth a pound of cure. In this newsletter, we highlight a landmark court case in Canada resulting in the first major claim (\$9M) against an aquatic facility for personal injury of a swimmer. Record keeping - including water level and water adjustments - were major factors.

And - with temperatures dropping over the next few months - take water safety with you on vacation to the beach by taking 3 minutes to learn [how to spot and how to survive a rip current](#) in the ocean.

## UPCOMING CPO CLASSES

**December 10 - 11, 2019**

Winnipeg, MB

**January 28 - 29, 2020**

Calgary, AB

**February 3 - 4, 2020**

Edmonton, AB

**[Click here to see the complete 2020 CPO class schedule.](#)**



**A landmark decision in Canada for personal injury in a swimming pool.**

## **Biletski v. University of Regina**

*Excerpt from Lifesaving Society of Ontario's Lifeline (September 2019)*

"In June 2005, competitive swimmer Miranda Biletski dove from a starting block located in the shallow end of the University of Regina pool. Her foot slipped and she entered the water at a steep angle hitting her head on the bottom causing permanent quadriplegia. The water depth was 1.22 m.

Biletski sued the University and in October 2017, a jury found the University liable for some \$9 million in damages. The University appealed. In May 2019, the Court of Appeal for Saskatchewan, the highest court in the province, upheld the

jury decision. At the time of the accident, while the pool did not comply with the existing standard for the minimum depth (1.35 m) for starting blocks, it did comply with the “grandfathered” standard for pools built pre-2002.

The University argued that since it met the pre-2002 standard, it could not be considered negligent. The jury found otherwise. The Appeal Court refused to interfere with the jury’s finding. Even though the pool complied with the grandfathered standard, the University was nonetheless found to be negligent by having the diving blocks placed in the shallow end of the pool.

This case underscores the need for pool owners and operators to assess the risks associated with their particular facility. Facilities should consider placing starting blocks in the deep end of swimming pools and ensure that FINA standards are met (a minimum 1.35 m depth from 1.0 m to at least 6.0 m from the wall where the starting platforms are installed).

Starting blocks should be inspected on a daily basis by the Pool Operator and used only under the direction/supervision of a certified coach or instructor."

[Read more](#)

[Beach vacation this winter? Learn how to spot a rip current.](#)

## Popular on our Facebook Page

[Sudbury mom sentenced to](#)   [Pool to remain closed until](#)

## 90 days in fatal drowning

"She had a Facebook conversation with a friend. The conversation commenced at approximately 3:43 p.m. and lasted until 3:54 p.m., a span of 11 minutes."

## Teacher denies staring at cell phone while student drowned

"Becker said he was looking at his iPhone stopwatch app to time the students treading water."

## operator receives needed certification

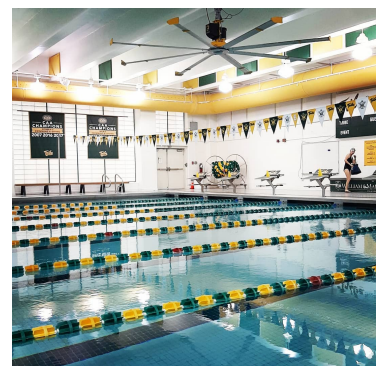
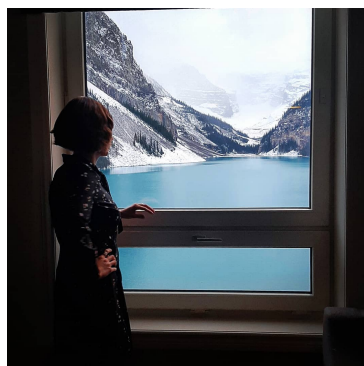
"The county will not allow us to reopen until we have someone with a CPO...the surface is there, the water is there..getting the CPO is the critical thing to reopen."

## 'Lifeguards are not babysitters': Response to mum turned away from pool

"Our company blanket policy is to employ the 'Within Arms Reach' program whereby all children under 6 wear a yellow wristband. If our lifeguards see a child with a wristband in the water without an adult within arms reach they will remove them from the water."

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## Instagram Highlights



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