



IN THE CORONERS COURT OF THE NORTHERN TERRITORY

Rel No: D0060/2020

Promis No: 9276829

**CORONERS' FINDINGS**

*Section 34 of the Coroners Act 1993*

I, Kelvin Currie, Deputy Coroner, having investigated the death of **LILY ELIZABETH ALDRIDGE** and without holding an inquest, find that the identity of the deceased was **Lily Elizabeth Aldridge**, born on **19 July 2018** and that her **death occurred on 16 April 2020 at 165 Old Bynoe Road, Livingston in the Northern Territory.**

**Cause of Death:**

1(a) Disease or condition leading directly to death: *Accidental drowning*

**Forensic Pathologist (Dr. John Rutherford) commented:**

Taking into consideration the circumstances surrounding death, the external and internal pathological findings as well as the results of the further investigations, I am satisfied that death was from drowning.

**Specimens were taken:**

Results: Forensic Science Case Number: 2002175

No alcohol and any other drugs in the scope of analysis were detected in the jugular venous blood.

**Police Investigation:**

A coronial investigation by Police found no suspicious circumstances surrounding this death.

**Circumstances:**

The deceased was a 21 month old female infant born 19 July 2018 in Darwin to parents Faith and Michael Aldridge. She was their youngest child and had 11 older siblings. She loved to swim and was confident in the pool with her flotation devices.

The family purchased a two-story residence on a 20 acre rural block in Livingston. Situated to the rear of the residence was an in-ground swimming pool. The pool consists of an in-ground rectangular concrete structure, with a depth of 1 metre at the shallow end and 1.8 metres at the deep end. It is enclosed by a 1.45 metre pool fence. The gate to the pool did not have an automatic locking

mechanism. It had barrel bolt requiring the bolt to be manually moved into the adjacent hole in the fixed post. The gate to the pool is located 2.8 metres from the rear entrance to the home.



On Thursday 16 April 2020, Lily was at home with her family and was being fed a bottle in her highchair whilst her siblings were in the pool swimming. At around 6.00pm her siblings were called to leave the pool to come inside for dinner. On exiting the pool the bolt was not slid into the hole in the post.

Sometime after, Lily was removed from her highchair (presumably by one of the children). Her father was fixing a fan in the lounge room when he noticed Lily was not in her high chair. He looked for her, firstly going out the front to see if she was playing with toys, then upstairs and then to the pool area where he has found her floating face down unresponsive on the top of the water with her arms and legs out.

Her father removed her and commenced CPR. Emergency Services were called at 6.37pm and first response police took over CPR until the arrival of paramedics at 6.56pm. Lily was unable to be revived and at 7.27pm CPR was discontinued.

Death from drowning can occur in minutes and in most cases supervision is absent for as little as 2 to 5 minutes. It often occurs without sound or splashing.

Under the *Swimming Pool Safety Act 2004*, swimming pools located on large premises (1.8 hectares or more in area) are not required to have a compliant swimming pool or compliant swimming pool barrier.

Although the pool gate locking device was not compliant with the requirements of the *Swimming Pool Safety Act 2004*, it was not required to be unless the owners applied for a compliance certificate. They had not done so.

Just over 4 years prior to her death, on 9 January 2016, another infant died in an unfenced pool just metres from the house on a property over 1.8 hectares. In that case I said:

“if there is an appropriate reason for the exemption [that pools located on premises of 1.8 hectares or more are not required to be compliant] it is assumed they relate to the likelihood of streams and dams on larger working premises. However that is a completely different type of hazard to a pool situated within metres of the house”.

This is another infant who has died in similar circumstances and accordingly I make the same recommendation.

### **Recommendation**

I recommend that the Northern Territory Government give consideration to the breadth of the exemption from the fencing requirements for pools on properties over 1.8 hectares.

### **Decision Not to Hold Inquest**

I make no further findings with respect to the circumstances of this death, as I have made the decision, under section 16(1) of the *Coroners Act* not to hold an inquest because the investigations into the death have disclosed:

- The time, place and cause of death;
- The relevant circumstances concerning the death; and
- I do not consider that the holding of an inquest would elicit any further information to that disclosed in the investigation to date; and
- The circumstances are not such that require a mandatory inquest in that:
  - The deceased was not, immediately before death, a person held in care or custody; and
  - The death was not caused or contributed to by injuries sustained while the deceased was held in custody; and
  - The identity of the deceased is known.

Signature:

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Kelvin Currie

DEPUTY CORONER

Date: 26 October 2020

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### **NOTE:**

Under section 16(4) of the *Act*, a person may apply within 14 days after receiving notice “Decision not to hold Inquest” apply to the Supreme Court for an order that an inquest be held.

Under section 16(3) of the *Act*, the Supreme Court may if it thinks fit, make an order that an inquest be held.

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