

Bath seats for babies provide a false sense of security with possible fatal outcomes.

The baby bath seat provides a salutary lesson of how the consequences of not following manufacturer's instructions can be fatal, even when warnings are required by a safety standard<sup>1</sup> to be clearly displayed on the product.

Giving evidence into the death of a baby in a bath to the West Hertfordshire Coroner's inquest in St Albans on 9 June 1999 Jenkins<sup>2</sup> cited fifty-five instances in which children under five had drowned in baths over a ten-year period to the end of 1998. There are now 78 such cases (see Table). RoSPA's drowning database is compiled from press reports. There is no official database of such cases. Several press reports mention bath seats and evidence given to the court by carers, usually the mother, is that she left the child in the bath "only for a brief moment", "just to answer the door/'phone" or "to fetch clothing/towels/toys".

### USA Experience

The USA Consumer Product Safety Commission (CPSC) found a similar problem after 69 babies drowned in baths implicating bath seats and rings during the period January 1983 to November 2000<sup>3</sup>. They considered a petition to ban the seats on the basis that "*Baby bath seats present an unreasonable risk of injury and death to children. Each year at least eight babies die as a result of drowning associated with bath seat use*" as reported by the CPSC (2001) but eventually rejected it.

### Discussion

The product may be considered inherently unsafe and should be banned but it is acceptable when used as intended by the manufacturer. The standard requires a warning not to leave a child unattended to be marked conspicuously and permanently on the seat but this is clearly not sufficient to prevent a recurrence of the drownings because the carer is tempted to leave a child 'just for a moment' with fatal results.

A risk assessment carried out on the product would identify the worst consequence as death by drowning but the frequency with which this could occur is low. The risk level would be significant and have to be addressed by measures that were more effective than the temptation to leave the child unattended 'to answer the door'. If as seems likely the product will continue to be sold and not banned by the authorities, a more prominent warning may need to be provided at point of sale stating "*5 babies drown in baths every year in the UK – NEVER leave your child alone in the bath*".

The design of the seat may also need to be improved so that a baby cannot free itself. Climbing out of the seat and squeezing through the apertures are methods of escaping from the seat and the CPSC report also found seats tipped over because their suction pads were ineffective. Baby bath seat manufacturers and standards writers will need to apply meaningful safe performance criteria that can be readily assessed.

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<sup>1</sup> EN 13822 Bath seats

<sup>2</sup> David Jenkins, Product Safety Adviser to RoSPA

<sup>3</sup> CPSC (2001), USA Consumer Product Safety Commission (CPSC) Document reference HP 00-4 dated 30.03.01.

## Summary

The fatalities listed in the table are taken from press reports over the past 14 years;  
There is no official list of such cases;  
Details such as the use of a bath seat may not be recorded in the press report;  
Those cases where a bath seat is mentioned in the press report are highlighted;  
Not every drowning will have been mentioned in the press;  
Only those similar to the case under consideration have been listed;  
Accident reporting is improving and should become more reliable.

The information RoSPA now has indicates that the warning moulded into the seat frame as required by the standard is being ignored and that the use of such seats may encourage a carer to leave a baby unattended even for a short while, to answer the 'phone perhaps, with disastrous consequences.

78 children under 5 have died in baths in UK homes in the 14 year period;  
5 children die in drowning accidents in baths in UK homes every year;  
53 (2/3rds) were under 2 years old;  
At least 6 fatal drownings involved the use of bath seats - all one year and under;  
Even momentary lack of supervision can lead to disastrous consequences;  
Bath seats may encourage the carer to leave a baby unattended;  
RoSPA's advice is "Never leave your baby unattended in the bath".

## Action

Under the General Product Safety Directive<sup>4</sup> which will be updated and applied in this country under revised General Product Safety Regulations<sup>5</sup> a prospective purchaser must be given sufficient information in order to assess the risk presented by a product.

The information surrounding the use of baby bath seats, because it has led to serious outcomes, must be provided to consumers in order for them to make an informed judgement as to whether or not to purchase the product.

The presence of a conspicuous, legible and durable label at the point of sale and a further notice on the packaging may be necessary to comply with this requirement.

## Proposal

A notice should be prominently displayed where Baby Bath Seats are offered for sale:  
*"5 babies drown in baths each year in UK – NEVER leave your child in the bath"*.  
A similar notice should be marked prominently on all packages of Baby Bath Seats.

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<sup>4</sup> General Product Safety Directive [92/59/EEC]

<sup>5</sup> General Product Safety Regulations 1994 [SI 1994 No.2328]

Table: Press reported drowning deaths - under 5s in domestic baths - UK 1989 - 1999<sup>6</sup>

Location/ Name	Year	Sex/Age	Notes
Bristol, Avon	1989	M/2	Found face down - unsupervised
Shepherds Bush, London	1989	M/<1	Unsupervised in bath with 1yo sister
Lincoln, Lincs	1989	M/1	Briefly left unsupervised by mother
E Grinstead, W Sussex	1989	M/1	Unsupervised while mother answered 'phone
Bradford, Wilts	1989	F/1	Unsupervised with 2yo in 6" water
East Bowling, W Yorks	1990	F/2	Mother left bathroom briefly
Great Clifton, Cumbria	1990	F/<1	Mother left unattended to fetch towel
Bellinge, Northants	1990	M/<1	No details
Northshields Tyne&Wear	1990	M/3	Mother left him playing
Alway, Gwent	1990	M/1	Left with two sibblings unattended
Fairstead, Norfolk	1990	F/<1	Unsupervised with 3yo brother
Leamington Spa Warwick	1990	F/1	With another baby, left briefly to answer door
Mixenden, W.Yorks	1991	F/<1	Mother left 3 in bath to turn off oven
Alton, Hants	1991	F/2	Mother left briefly to fetch towel - water 0.15m
Thornaby, Cleveland	1991	M/1	Collapsed - mother fetched towel had pneumonia
Swansea, W.Glamorgan	1991	F/4	Suffered fits. Mother talking downstairs
<b>Holloway, Gtr London</b>	<b>1991</b>	<b>M/1</b>	<b>In special baby bath chair</b> briefly unsupervised
Whitley, Berks	1991	M/<1	With a three year old
Dudley, West Midlands	1991	M/<1	Briefly left unsupervised to answer 'phone - 3cm
Dewsbury, W.Yorkshire	1991	M/1	Briefly left in bath with 2 year old brother
Bagillt, Clwyd	1991	M/1	Left to play with 3 year old brother
Gabalfa, S. Glamorgan	1992	F/2	Unsupervised mother drying twin - 15cm deep
Barlby, N. Yorks	1992	F/3	Briefly unsupervised, was washing her dolls
Tiverton, Devon	1992	M/1	Briefly unsupervised, mother fetching towel
Abbeywood, Gtr London	1993	M/1	Briefly unsupervised by mother
Colneyheath, Herts	1993	F/<1	Left with 3yo boy while water drained out
Frome, Somerset	1993	M/2	Briefly unsupervised mother answering 'phone
<b>Shadwell, W.Yorks</b>	<b>1993</b>	<b>M/&lt;1</b>	Briefly unsupervised <b>floating seat</b> tilted forward
Mountainash, Mid Glam	1993	M/2	Being minded by 14yo
Bedfont, Gtr London	1994	M/1	No details
Wembley, Gtr London	1994	M/1	Left unsupervised in bath
West Midlands	1994	M/1	Left alone briefly to fetch towel - 9" water
Bradford, W.Yorks	1994	F/<1	Left unsupervised to answer 'phone
Eshwinning, C.Durham	1995	M/<1	Left unsupervised in bath with 3yo brother
Corby, Northants	1995	M/<1	Left in bath briefly unsupervised
Walsall, W.Midlands	1995	F/<1	Briefly unsupervised
Storrington, W.Sussex	1995	M/<1	Briefly unsupervised
Abbey Wood Gtr London	1995	M/3	Left briefly unsupervised in 6" water
Jersey	1996	F/<1	Left unattended by babysitter, died later
Colleyhurst, Manchester	1996	M<1	Left unsupervised while mother fetched towel
Pitsea, Essex	1996	F/1	Left briefly unsupervised
Lancashire	1996	M/1	Left unsupervised in bath

<sup>6</sup> Press reported drowning in the UK

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Harrogate, N.Yorkshire	1996	F/1	Left unattended by 9yo while mother slept
Waltham Abbey, London	1996	F/1	With brother in bath, no adult supervision
Battersea, London	1996	M/2	Briefly unsupervised while mum answered door
Bristol, Avon	1997	M/3	Left unsupervised for 3 mins in bath
Worksop, Nottingham	1997	M/3	Unsupervised in bath for a few minutes
Tottenham, London	1998	M/3	Unsupervised for a short time
Folkestone, Kent	1998	M/1	Found submerged in bath
Folkestone, Kent	1998	M/2	Left unsupervised for short time
Norfolk	1998	F/5	Left unsupervised in bath
Carshalton, Surrey	1998	M/2	Left unsupervised in bath
Troon, Ayrshire	1998	F/2	Left unsupervised in bath
<b>Rotherham, S.Yorkshire</b>	<b>1998</b>	<b>M/&lt;1</b>	<b>Left unsupervised in bath chair</b>
Falkirk	1998	F/<1	Unsupervised for seconds
	1999	F/<1	Drowned in bath after birth
	1999	M/1	Home in bath
	1999	F/3	Mother fell knocked herself out bathing 2 girls
	1999	F/1	Bath both girls
	1999	?/3	No details
	1999	M/<1	In bath mother left unattended to make breakfast
	1999	M/4	In bath – fainted? mother went for pyjamas
	1999	M/1	In bath with mother. Mother had epileptic fit
	2000	M/3	Fell in bath retrieving dummy
	2000	M/1	Left unsupervised in bath for few seconds
	2000	M/<1	In bath with father who fell asleep after drinking
	2001	M/<1	Left unsupervised whilst mother on phone
	2001	F/<1	Drowned in bath with 2 yr old sister
	2001	M/<1	In bath at home
	2002	M/1	In bath at his home when head went under water
	<b>2002</b>	<b>M/&lt;1</b>	<b>In bath on plastic seat mother fetching towel</b>
	2002	F/2	7yo boy held her down in water whilst in bath
	<b>2002</b>	<b>M/&lt;1</b>	<b>Left unsupervised in bath seat tipped up</b>
	2002	?/2	Climbed in bath mom waiting for water to heat
	2002	F/1	Left in bath with sister while mum fetched towel
	2002	M/4	Mum ran bath, he climbed in but couldn't get out
	<b>2002</b>	<b>M/&lt;1</b>	<b>Toppled over in bath seat, found face down</b>
	2002	F/<1	Left unattended whilst mother fetched towel
	2003	F/3	Unsupervised in bath for short time
	2003	F/3	Mother distracted by other child who ran outside
	<b>2003</b>	<b>F/1</b>	<b>Mother left her in seat to answer door</b>

## Abbreviations

F = Female child

M = Male child

? = gender unknown

/x = age in years

/&lt;1 = under 1 year