HOUSE OF COMMONS

Monday, October 17, 1994

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

[*English*]

HAZARDOUS PRODUCTS ACT

Mr. Rex Crawford (Kent, Lib.) moved that Bill C-220, an act to amend the Hazardous Products Act, be read the second time and referred to a committee.

He said: Mr. Speaker, it is with great hope that I rise today to lead off Private Members' Business on Bill C-220, an act to amend the Hazardous Products Act.

I first introduced this bill in June 1993 and reintroduced it on March 7, 1994. The bill is in direct response to a tragic accident in my riding which claimed the life of the 6-year old son of constituents of mine, Robert and Maria Weese of Wallaceburg. I am pleased to say that they will be in the gallery this morning with their children, son Craig, daughters Paula and Kelly.

On June 15, 1992 their son Mark was killed by a poorly designed, poorly maintained portable soccer net. The bill's sole intention is to prevent further tragedies, because the incident in my riding was only one of many. Bill C-220 would oblige users of soccer goals, handball goals and field hockey goals to fix them to the ground so that they do not easily tip over, causing injury or death.

I acknowledge that the bill as specifically written needs additional measures to make it more effective. Today in private members' hour I believe that by raising awareness of this issue and this concern, the rationale and intent of the bill will be established and proven.

I have met with staff and officials from the office of the hon. Minister of Health and I want to thank the minister for her guidance and assistance in this matter. We will all work together to increase the safety of our children. I look forward to pursuing this issue with the minister in the months ahead.

As well, I want to take this opportunity to commend Robert and Maria Weese for their important and heartfelt efforts. They have sent over a thousand letters to soccer associations all across Canada and internationally outlining the dangers of portable nets. The Weeses have compiled some disturbing examples about accidents involving portable equipment.

Since 1979 there have been 15 deaths and five serious injuries in the U.S., but unfortunately there are no Canadian figures, as no one group compiles them, not school boards, not recreation associations.

(1105)

We have a hodge-podge, a patchwork of information across Canada. One of our main goals must be to increase the amount of information available to users of portable nets.

Bill C-220 is based on recommendations of the coroner's jury inquest in October 1992 after a 14-year old boy was killed by a portable net. This needless death occurred fully four months before Mark Weese's. Why were the recommendations of the inquest not followed?

I was just informed that there was another regrettable death in New Brunswick last month and on October 3 a 12-year old boy died in Detroit, Michigan as a result of a portable soccer goal falling on his chest. Three years ago there was an incident in Newfoundland.

I would like to read into the record the eight recommendations of the Wallaceburg inquest. Before I do I want to suggest that these statements are totally logical and apply common sense. They should have already been in practice before tragedy called attention to this issue.

One, portable goals for indoor use should be made of lightweight materials and either counterweighted with sandbags or anchored with a flexible anchoring system which allows the goal to move in a lateral direction but not tip over.

Two, portable goals for outdoor use should have an anchoring device to allow for stability during the game and which will allow the goal to be stored.

Three, the Department of Consumer and Corporate Affairs should amend the Hazardous Products Act to include the equipment and to acquire a standards program from the Canadian Standards Association in order to ensure that manufacturers' products meet minimum safety standards.

Four, suppliers should ensure that all of this equipment meets CSA standards before shipping to purchaser.

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Five, consumer and corporate affairs should be notified by coroners' offices, hospitals and police departments immediately of death or catastrophic injuries resulting from accidents involving sports equipment, and they in turn should use their computer system which can have the capacity to highlight incidents and advise the ministry of education, boards of education, the ministry of tourism and recreation, municipalities, associations, suppliers and distributors.

Six, permanent manufacturers' labels should be clearly displayed indicating manufacturer, address and year of manufacture.

Seven, any cautionary advice regarding equipment use and handling should be clearly displayed separately and in a contrasting colour. It should also appear prominently on all product documentation.

Eight, qualified independent safety inspections should be conducted on an annual basis and following repairs or modifications inspection records should be kept on file by the user.

Those are the eight recommendations from October 1992 and yet they are still to be fully implemented. I want to draw attention to this fact by bringing this bill to the House for discussion.

Injury accidents are now the number one killer of children nationwide. In the U.S. they take about 7,200 lives a year. Another 50,000 children suffer permanent injury. The U.S. Consumer Product Safety Commission warned in September 1992 that movable soccer goals can tip over and kill children who climb on them or pull up on the cross bar. In some cases an unanchored goal gets blown down by a gust of wind.

There was a meeting last week of the safety commission in Washington, D.C. It was attended by Canadian representatives who are working with our American colleagues to increase the level of information available and create policies to revamp needless tragedies in the future.

(1110)

Currently the U.S. safety commission has published a handbook for public playground safety. In chapter 5, subsection 1.1 it notes that secure anchoring is the key factor to stable installation. When properly installed, equipment should withstand the maximum anticipated forces generated by active youth which might cause it to overturn, tip, slide or move in any way.

The Canadian Standards Association has issued guidelines for preventing playground accidents to ensure that equipment is safe. The CSA emphasizes that the base of equipment should be anchored firmly below the ground.

It suggests that parents ask their local municipality or school board how often it inspects equipment. The CSA recommends a daily visual inspection, a more detailed monthly inspection and a comprehensive inspection handling.

Distribution of safety information is the key to all of this but it must get to everyone. There was a fatal net accident in Toronto in 1992. A month later, the net manufacturer, Sports Equipment of Toronto Limited, a national supplier of institutional sporting goods and gymnasium equipment, issued a notice stating that soccer goals, handball goals and field hockey goals be anchored securely to the floor or playing field when in use and stored in such a manner that they will not fall over when not in use.

I commend the company for the urgent notice but it was only sent to school boards in Ontario. It did not extend its warning to municipalities, parks or recreation departments.

In the U.S. officials are coming up with a variety of methods to increase the safety of nets.

According to an article in the Detroit *News* of April 18, 1993 the Fairfax county, Virginia public school system has become a national leader in implementing the two safeguards that experts consider essential: anchors and warning labels.

Every portable soccer goal in the district has warning labels, black, red and bright yellow. The labels warn that climbing on goals or failing to anchor goals can cause serious injury or death. The Virginia School Board even purchased a corkscrew type anchor about 12 inches long. It is easy to put in and hard to take out.

The institute for the study of youth at the University of Michigan says that no games should be played on fields where goals have not been anchored. The institute wants a local bylaw passed to make the home team coach responsible for anchoring both soccer goals before the start of the scheduled match. If this is not complied with, the match is forfeited.

It is worthwhile to point out that some manufacturers are forming a coalition for safe soccer goals and have begun making models that collapse when not in use. I hope that in Canada we are going in the same direction.

Again, I commend the Weeses for their commitment and dedication and their dogged pursuit of safety during what must be trying times. They have formed a volunteer group in Wallaceburg called PARCS, Parents Assuming Responsibility for Children's Safety. As well, the town of Wallaceburg has undertaken a comprehensive review of park equipment. I applaud it for that but it is not universal. On a recent trip around southern Ontario the Weeses found potentially dangerous and unsafe equipment in Woodstock, St. Thomas and Goderich.

They have written letters to the communities and want the posts fixed. This grassroots, local, neighbour to neighbour effort is to be encouraged, praised and honoured. We need the power of government to lend a helping hand. We must manufacture safer nets and then inform all users of the standards for safety. We

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cannot leave it up to the goodwill and good thoughts but to concrete action on the part of regulatory bodies and standards associations.

(1115)

I welcome the comments of my colleagues on this bill, but more important is the issue symbolized by Bill C-220. If we can prevent one death or tragedy through our discussion this morning then it is all to the good.

Second, it is the purpose of Private Members' Business to allow any member from any party to raise awareness on an issue. It is important to our ridings and to the country at large. In the short time we have this morning I believe we will succeed on both counts.

I am honoured to speak on behalf of my constituents regarding Bill C-220 because it is due to their initiative that this member of Parliament gets the privilege to discuss the bill in the first place.

On a personal note, two years ago I bought a gym set for our grandchildren. The little people are one step ahead of us all the time. It was two swings, a sway bar and a slide. The youngest is three and the other two are four. They found by swinging in unison, they could bring the tripods that held this playstand off the ground. I was in a state of shock.

We have to watch the little people. I think they are more intelligent than we are. They were able to bring the stand two feet off the ground on either side as they were swinging. I made them stop. I was able to get bars that would latch on to the stands, which were 24 inches in depth. I drove them into the ground to support the stand.

The company that built these stands should have included stakes to make them more safe. If 10 or 12-year old children had been on that swing they would have flipped it over quite easily. These little ones at the ages of three and four were certainly working their way up to flipping it over when I made them stop.

We are not aware of the dangers unless we are there to see what can happen even in our own yards. We should support this bill. It lets people know exactly what is happening throughout the country. Children at schools and playgrounds are being killed when they can easily be saved for very few pennies.

Once again, Mr. Speaker, I thank you for giving me the time to speak on the bill this morning. I await hearing other speakers.

[*Translation*]

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, I welcome this opportunity to speak, on behalf of the Official Opposition, to Bill C-220, an Act to amend the Hazardous Products Act.

It is always useful to read the explanatory note: ``The purpose of this bill is to make the *Hazardous Products Act* applicable to soccer goals, handball goals and field hockey goals as `restricted products`".

At this stage I would like to commend the hon. member for Kent on his perseverance, since the hon. member introduced this bill during the previous Parliament and had to go through the whole process again when the new Parliament convened. I also want to commend him on his sensitivity, in the light of the tragic experience in his riding of Robert and Maria Weese, who lost their son Mark at the age of six.

(1120)

Personally, I am very sensitive to such matters because I have a son the same age, and I can imagine the intense grief suffered by these parents after such a tragic event.

The bill would make it compulsory to equip soccer, handball and field hockey goals with an anchoring device that would prevent the goals from tipping over and falling on children playing nearby. I should explain that in most cases, these accidents did not happen during games but when children were playing with the goals on playgrounds and the goals tipped over, or when the goals were tipped over by a gust of wind and fell on a child, causing either serious injury or death.

Finally, it is also the intent of this bill, in accordance with the coroner's recommendation we will look at later on, that nets and goals shall be portable and can be put away after games in order to prevent this kind of accident.

The Mark Weese case is not unique. In fact, it is unfortunate there are so few statistics in Canada on the subject, and it seems neither hospitals nor schools have any obligation to provide information on such cases to any authorities whatsoever. Fortunately, this is not the case in the United States, where the U.S. Consumer Products Safety Commission monitors this kind of thing. From 1979 to 1992, according to the Commission, many accidents occurred, five causing major injuries, in other words, very serious-you can imagine what that means-and fifteen causing the deaths of individuals, I cannot really say children, ranging in age from three to twenty-two. So that is an indication of the importance of this proposal.

The bill was directly inspired by the coroner's report that was released at the time and to which the hon. member for Kent referred earlier. What struck me particularly was recommendation No. 2, which reads as follows in English:

[*English*]

Portable goals for outdoor use should have an anchoring device to allow for stability during the game and which allows the goal to be stored away.

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[*Translation*]

We therefore support this amendment to the Hazardous Products Act. If the amendment saves only one life, it will have served its purpose.

[*English*]

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, it is an honour to be able to support my colleague. Together with my colleague from the Bloc, I commend him for his tenacity in bringing to our attention again something that is very important.

The Weese family took seriously an accident that happened to them and the suffering they went through. They made us all aware of a problem to which I personally was not paying very much attention. When I read the details of the story I was unaware that these goal posts were causing this much trouble, that people actually were being killed. I have now become aware of the problem. That is the negative part.

Here is a family who suffered. A child died and some of us were still unaware of the cause. They took it upon themselves to write thousands of letters to people to make them aware, to make school boards aware, to make parks and recreation departments aware so that out of an accident something good came. I want to thank this family for that.

I want to thank my colleague for drawing this tragedy into the public arena and into the highest court of the land, the Parliament of Canada.

(1125)

It is easy for us to blame manufacturers for not putting the right signs on equipment and not supplying enough information. It is important that they be charged with that responsibility. School boards and parks and recreation departments should be made aware of this fault so they can anchor the goal posts and make them more safe.

However, I want to emphasize another aspect of this as well. It is the responsibility that we as parents and adults have in our respective communities.

I was impressed to hear the member say that he and the Weese family had travelled around southern Ontario only to discover that there are still places where the safety features are not being observed. They are exercising a responsibility that goes well beyond that of parents by going into the community and extending their care to other people's children. It is a highly commendable action on their part.

In particular, I want to recognize the establishment of the the PARCS, Parents Assuming Responsibility for Children's Safety. It is through their efforts that the hon. member brings this bill to the House to amend the Hazardous Products Act. Through their efforts school boards are now aware of a problem that they were not aware of before. Through their efforts I have become more sensitive to this problem.

My two boys are now grown men. They do not have children but when they do I want them to be able to feel comfortable that their children are safe as far as playground equipment is concerned.

Also I want us to recognize that regardless of whether the goal posts are fixed or movable, or movable ones that are anchored, there is still in the heat and activity of play the tendency to forget that one could be hurt rather badly on these goal posts. We have a responsibility to recognize that our children when they play can be in some danger.

There is no better way to ensure that our children are safe than for us as parents to accept responsibility for our children. In the larger community we as adults should recognize that in a way we are parents to all children and to accept the

responsibility that has been demonstrated by the Weeses to make others aware of the danger. We need to alert the Minister of Industry to bring forward legislation to amend the corporate act so that the purpose of the bill can be realized.

I thank the hon. member for bringing this to the House. I am going to support the effort, the spirit and the intent of the bill. I hope that all of us will become more aware and accept responsibility to make our playgrounds safer both on school grounds as well as parks and other recreational facilities.

The Acting Speaker (Mr. Kilger): There are no further speakers. I do not want to surprise the member for Kent. I want all colleagues in the House to understand that under the right of reply, if the member for Kent chooses to have a closing remark on the business that no one else can speak. In fact, he will close the debate at this time.

Is it agreed?

Some hon. members: Agreed.

Mr. Crawford: Mr. Speaker, I would like to thank and congratulate members opposite who have spoken in support of the bill. It means a lot to me and it certainly means a lot to the Weese family, who were sitting above us, that people are becoming involved in the issue of the safety hazard of these goal posts.

The hon. member stated he was not aware of it. I was not aware of it either until this came about. I related the situation with my grandchildren who were trying to upset the swings and unfortunately they would have had I not brought an end to it and stabilized the equipment.

I live on the border of Michigan. In the United States soccer is becoming a great sport today. Because of baseball strikes and hockey strikes and one thing and another soccer has taken over. We have a gentleman in Wallaceburg who started soccer many years ago. This gentleman was to be in the Olympics for Italy.

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Through his efforts Wallaceburg has some of the best soccer teams not only in Kent but in Ontario and Canada.

In the United States it has become great. They are involved in the safety of these nets. We are so close we can see what they are doing across the border from us. We as Canadians should have been leading the way but again we will be following our American neighbours in more safety.

Once again I thank the hon. members who spoke in support of this bill. We appreciate it. Thank you, Mr. Speaker. Thank you very much for all the work you have done in trying to make everyone aware of the safety of field goal netting whether it is soccer, field hockey, or any other sport. I certainly commend you and wish you the very best.

The Acting Speaker (Mr. Kilger): There being no further members rising for debate and the motion not being designated as a votable item the time provided for the consideration of private members' business has now expired and the order is dropped from the Order Paper pursuant to Standing Order 96(1).

Mr. Boudria: Mr. Speaker, I would ask that the House suspend until noon in order to resume government business at that time.

SUSPENSION OF SITTING

The Acting Speaker (Mr. Kilger): Shall I suspend the sitting of the House?

Some hon. members: Agreed.

The Acting Speaker (Mr. Kilger): The House will suspend until twelve o'clock noon.

(The sitting of the House was suspended at 11.31 a.m.)

SITTING RESUMED

The House resumed at 12 p.m.

Next