

# P-06-1212 Mark Allen's Law

Y Pwyllgor Deisebau | 29 Tachwedd 2021  
Petitions Committee | 29 November 2021

Reference: SR21/1044-12

**Petition Number:** P-06-1212

**Petition title:** Mark Allen's Law - we want throwline stations around all open water sites in Wales

**Text of petition:** Mark Allen, aged 18, drowned after jumping into a freezing reservoir on a hot day in June 2018. In May 2019 we watched whilst 3 throwlines were installed where he died. Mark could have possibly been saved if they were in place beforehand.

We, Mark's family and friends, feel that it should be law that throwlines like those placed where Mark died should be placed in designated places around every reservoir, lake, canal etc. Speaking to people who work in water safety, e.g. fire services etc., such throwlines have saved many lives. We want to save lives and save people from going through the heartbreak and tragedy of losing someone they love to drowning.

Please help us make a positive difference in Marks memory.

Thank you, Mark's family and friends



# 1. Background

Around **400 people drown** around the UK every year, and a further 200 take their own lives. For people between the ages of 5 and 24, drowning is the second leading cause of accidental death.

**Water Safety Wales** was established in 2017, it is a group of 24 member organisations working on water safety and drowning prevention in Wales. It launched Wales' **Drowning Prevention Strategy** in December 2020, and highlights that "on average 45 people lose their lives to drowning every year" in Wales. The then Minister for Environment, Energy and Rural Affairs, Lesley Griffiths MS **states that the strategy will:**

...give a clear outline on how [the Welsh Government] will work in collaboration with partnership organisations to engage, educate and raise awareness on the dangers of water to the communities which we serve.

As the owner operator of reservoirs in Wales, **Dwr Cymru (Welsh Water)** provides information on the **potential fatal impacts of unauthorised swimming in its reservoirs**. It highlights dangers including:

- **Hidden structures** made of concrete or metal beneath the surface of the water can often operate without warning; and
- Freezing currents can cause even strong swimmers to find themselves in **cold water shock** and unable to swim.

'Cold water shock' is the **effect on the body of entering water 15°C and below** – it can be the precursor to drowning.

## The use of throw lines

A 'throw line' or 'throw bag' is a rescue device. It's typically a length of rope stuffed loosely into a bag which will let out when thrown. The **RNLI says that** for someone who has fallen in the water **they are a lifeline**.

## Petition considered by UK Parliament

A **Mark Allen's Law petition** was considered and closed on 29 September 2021. In its response the UK Government highlighted that:

...where open access to water is encouraged for leisure purposes controls might, depending on the circumstances, include the provision of throwlines or other rescue devices, as part of a range of measures

## Recreational Access to Inland Waters

The Welsh Government is considering introducing legislation to provide for wider access to the countryside for the purposes of recreation. It states that:

There are currently no general statutory public rights of recreational access in or on inland waters in Wales and very little common law.

It has formed an Access Reform Advisory Group (ARAG) to look in detail at a number of the Access proposals within Sustainable Management of Natural Resources (SMNR).

National Access Forum Wales Access to Water Sub-Group has been set up to give priority to inland water issues and treat access to water separately.

The National Access Forum Wales (NAFW) has been asked to report the outcomes of its sub-group discussions, and associated conclusions and recommendations by March 2021.

This report cannot be found publicly, however the NAFW meeting summary from 29 June states that "these reports are currently under review with the Minister". It is also noted that the Welsh Government's 'water branch' is working to scope intent to "begin to designate Wales' inland waters for recreation".

## 2. Welsh Government action

Welsh Government's Water Strategy for Wales highlights the need to take safety into account when "seeking the benefits offered by our water resources for job creation and green growth in tourism and recreation". It also highlights the potential risk of reservoirs in Wales, and the need for effective management, it states that the Welsh Government will

... work with the water companies, other reservoir owners and responders to ensure emergency planning arrangements are in place to manage these risks. We will put in place additional legislation to ensure future reservoir safety in Wales.

In response to this petition the Welsh Government highlights “work being done by [its] delivery partners”, including water company reservoir safety campaigns, and the Drowning Prevention Strategy by Water Safety Wales (detailed above).

### 3. Welsh Parliament action

During the Third Assembly, the issue of access to inland water was considered by the then [Petitions Committee](#) and [Sustainability Committee](#).

The previous Senedd’s Petitions Committee considered [P-05-868 – Water Safety/Drowning Prevention and the effects of Cold Water Shock to be taught in all Schools in Wales](#)

The particular issue of throw rope provision does not appear to have been considered in the Senedd prior to this petition.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.