



CORONER'S COURT OF BRITISH COLUMBIA
HELD AT Colwood B.C.
VERDICT OF CORONER'S INQUEST

Case No. 91-164-0023

JUN 05 1991

Into The Death Of

BYRNE
SURNAME

KELTIE LEE
GIVEN NAME

Address: 1524 Oakland Avenue, Victoria, British Columbia V8T 2L2
WE, THE JURY, having been duly sworn and serving at the inquest into the death of the above stated, on the 30th, 1, 2, 3 and 6th days of April/May 19 91, have determined the following facts:

Age: 20 Sex M F Native

Date of Birth: December 6th, 1970 Est. Date of Death: February 20, 1991

Place of Death: Sealand of the Pacific Est. Time of Death: Between 1330 and 1545 hrs.

Place of Injury/Illness: Sealand of the Pacific Date and Time: February 20th, 1991 between 1327 Beach Dr., Victoria, B.C. 1320 and 1330 hrs.

Type of Premise: Oceanarium (in the whale pool) Code 390

Identification Method Visual Other:

Identified By: Coworkers and by Sealand Manager Al Bolz

MEDICAL CAUSE OF DEATH:

Code 140

- (1) Immediate Cause of Death: (a) Drowning
DUE TO or as a consequence of
Antecedent Cause, if any, giving rise to the immediate cause (a) above Stating the underlying cause last. (b) Forced submersion by orca (killer) whales
DUE TO or as a consequence of
(c) Falling into the whale pool
- (2) Other Significant Medical Causes Contributing to Death:

BY WHAT MEANS: See Page Two

Code 800

- Classification: Natural Accidental Homicide Suicide Undetermined

THE JURORS

Signature of Jurors

David Duffus

David Duffus Foreman

Michael Doyle

Michael Doyle

Marc B. Pakenham

Marc B. Pakenham

Wayne Young

Wayne Young

Sean Healy

Sean Healy

THIS VERDICT was received by me, Dianne Messier, a Coroner
for British Columbia this day of May 6th 1991

Dianne Messier
Presiding Coroner

Dianne Messier

**FINDINGS and RECOMMENDATIONS as a RESULT of the INQUEST**
Into The Death Of

BYRNE

KELTIE LEE

BY WHAT MEANS:

Keltie Lee Byrne died as the result of an accident on February 20th, 1991. After conducting a whale show at 1305 hrs., a "play" session was initiated by the trainers at the whale pool. After, Ms Byrne picked up her coolers, used for carrying fish, and proceeded along the east side of the inner walkway of the whale pool. For reasons undetermined, she fell into the whale pool at approximately 1320 hrs. and while attempting to get out the whales intervened moving her away from the pool's edge. Rescue attempts with safety equipment by fellow staff members were thwarted by the whales. Over the course of the next ten minutes (approximately), Ms Byrne was submerged repeatedly for varying intervals. After this period, Ms Byrne appeared to be unconscious. Attempts by trainers to bring the whales under control were unsuccessful although for brief periods one or more whales appeared to respond to stationing cues, used to still the whales. Furthermore, distraction attempts were also unsuccessful. Concurrent rescue attempts, including the use of a large net to separate the whales from the victim and the use of a reaching pole and lifebuoy failed. Following that, the net was then weighted and used to drag the pool to recover the body of Ms Byrne. Ms Byrne was removed from the water at 1535 hrs. using the aforementioned net - no life signs were evident. No resuscitation attempts were made and the body was removed from the scene at approximately 1630 hrs.



FINDINGS and RECOMMENDATIONS as a RESULT of the INQUEST
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BYRNE

KELTIE LEE

RECOMMENDATIONS OF THE JURY:

- TO: Workers' Compensation Board of British Columbia (WCB)
6951 Westminster Highway
Richmond, British Columbia
V7C 1C6
- 1) The Workers' Compensation Board (WCB) create a specific category for the type of activity conducted at Sealand and other similar businesses and develop safety standards accordingly.
 - 2) The Workers' Compensation Board (WCB) develop a comprehensive and regular inspection program to cover all aspects of workplace and activities at Sealand. A complete record of the inspection will be filed by the Inspector.
 - 3) The Workers' Compensation Board (WCB) shall direct the Application for Compensation and Report of Industry or Industrial Disease (Form 6) and the Employer's Report of Injury or Industrial Disease (Form 7) and the Physician's Report Form to the Occupational Health and Safety Officer for assessment.

**FINDINGS and RECOMMENDATIONS as a RESULT of the INQUEST**

Into The Death Of:

BYRNE

KELTIE LEE

TO: Sealand of the Pacific Ltd.
1327 Beach Drive
Victoria, British Columbia
V8S 2N4

- 4) At least one staff person be actively monitoring safety in and around the pool areas while the general public is in the area. This person shall not have other duties which could interfere with an immediate response to a breach of safe practice by the general public or Sealand staff.
- 5) Sealand shall develop a system to quickly and securely isolate one or more whales in the main pool.
- 6) Sealand commentaries shall include safety messages for the public regarding motion of platform and security around safety barriers.
- 7) Public safety signs should warn of sudden deck movement.
- 8) Sealand should consider translating safety signs into the languages of their major clientele.
- 9) Sealand shall install additional switches, in strategic locations, to trigger the emergency alarm system.
- 10) Sealand shall install two life-lines around the inner periphery of the whale pool. It should be fixed at regular intervals, and placed at the poolside upper edge of the inner wall and at the lower edge of the inner wall, at, or just below, the water level. This is to provide hand and foot holds in order to ease the exit from the pool.

**FINDINGS and RECOMMENDATIONS as a RESULT of the INQUEST**
into The Death Of:

BYRNE

Keltie Lee

- 11) Sealand shall consider the use of soft, throwing devices with floating, tangle-free line.
- 12) Sealand staff shall wear a personal flotation device (P.F.D.) in the immediate pool area (on stage or inside the guard rail). Consideration should be given to a type of device with a combination, inherent buoyancy (i.e. foam) and inflatable buoyancy.
- 13) All animal division staff shall receive life-saving training to a minimum of Royal Life Saving Society of Canada (RLSSC), Bronze Medallion Award or higher.
- 14) All animal division staff shall take part, in all aspects, of realistic rescue simulations in the whale pool.
- 15) All animal division staff shall have safety orientation training, distinct from on-the-job training.
- 16) All safety and training information will be in writing and distributed to all staff.
- 17) Containment of whales in the 'module' should be limited to veterinary and husbandry functions only. Separation of the whales for behavioural reasons should be accomplished using partition(s) in the main pool.