



Australian Government
Department of Education and Training

Secretary
Lisa Paul AO PSM

Ms Emma Lindsey
Coroners Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Dear Ms Lindsey

Investigation into the death of Bailey Patman – Court Reference COR 2012 000230

Thank you for your correspondence enclosing a copy of the finding without an inquest, including the recommendation made by the Coroner under the *Coroners Act 2008* (Victoria).

I note that Recommendation 1 in the Coroner's Report states that "swimming and water safety education should be a compulsory skill within the primary school curriculum to all Victorian children". I also note that comments relating to this recommendation in the report mention that swimming and water safety education is not mandatory in the Victorian school curriculum, and that neither the Australian Victorian Essential learning Standards (AusVELS), nor the Australian Curriculum, the two curriculums currently applicable to Victorian schools, have water safety education or swimming lessons as part of the compulsory curriculum.

The Department is committed to improving the health, safety and wellbeing of all Australian children and recognises the importance of physical education in schools, including water safety skills. In relation to Recommendation 1, I provide the following information.

At the time of this incident the applicable curriculum in Victorian schools was the AusVELS as determined by the Victorian Curriculum and Assessment Authority. At that time, the *Australian Curriculum: Health and Physical Education (HPE)* was still being developed by the Australian Curriculum, Assessment and Reporting Authority (ACARA).

The Foundation to Year 10 Australian Curriculum for HPE was published on the Australian Curriculum website and made available for use by states and territories in November 2013 (refer to <http://www.australiancurriculum.edu.au/>). It is anticipated that endorsement of the published curriculum will occur later in 2015.

The implementation of the Australian Curriculum is the responsibility of each state and territory, and the systems and schools within each of those jurisdictions. The Australian Curriculum is used flexibly by schools, according to jurisdictional system policies and

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schedules, to develop programmes that meet the educational needs of their students. The Australian Government does not play a role in determining the curriculum resources or programmes used in schools, including in-school provision of basic swimming and water safety skills in the primary school years. State and Territory education authorities and the non-government sector have, and will continue to have, responsibility for the delivery of water safety and swimming education programmes in schools.

With respect to Victoria it is my understanding that the implementation of the *Australian Curriculum: Health and Physical Education* is being delivered through the Health and Physical Education domain of AusVELS. Thus, you may wish to seek comments from Mr John Firth, Chief Executive Officer, Victorian Curriculum and Assessment Authority regarding the applicable Victorian curriculum.

The current available version of the *Australian Curriculum: HPE* does address water safety skills in a variety of contexts, which will allow State and Territory education authorities to deliver water safety and swimming education programmes in their schools should they choose to implement the curriculum in this way. For a more detailed understanding of the scope, sequence, development and structure of the *Australian Curriculum: Health and Physical Education* and specific references to aquatics and water safety, you may wish to also seek comments from the Australian Curriculum, Assessment and Reporting Authority (ACARA). The appropriate contact within ACARA is Dr Phil Lambert, General Manager, Curriculum. Dr Lambert may be contacted directly on (02) 8098 3113 or via email at phil.lambert@acara.edu.au.

The Australian Government Department of Health is also delivering on the Australian Government's Water Safety: Reduce Drownings initiative (2014-2015 Budget). Through this initiative, the Australian Government supports major water safety organisations, like the Royal Life Saving Society Australia and other leading bodies including Surf Life Saving Australia, AUSTSWIM, Laurie Lawrence and the Royal Life Saving Society – Australia. Another element of the initiative is the provision of funding to support initiatives focused on water safety for children less than five years old. As part of this, the Australian Government launched a new water safety curriculum for young children in September 2014, developed by water safety campaigner and former Olympic swimming coach Laurie Lawrence. Additional information can be found at: <http://www.health.gov.au/internet/main/publishing.nsf/Content/water-and-snow-safety>.

I hope this information is of use. Should you require any further assistance, please do not hesitate to contact Dr David Atkins, Branch Manager, Curriculum and Learning. Dr Atkins can be contacted on (02) 6240 9857 or via email at David.Atkins@education.gov.au.

Yours sincerely



Lisa Paul

21 August 2015

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