

## **Mock Coroner's Inquest for Luke Patel: Witness Roles**

### **Introduction**

This mock inquest is entirely fictional. Participation in this mock inquest offers the students the opportunity to consider their own recommendations for the prevention of future similar deaths without comparison to those prepared by a real jury.

### **Instructions for the Teacher**

The witness statements are on the pages following and are easy to copy for your students. Choose the students who will play each of the roles and give them their specific role to read and learn before the inquest takes place.

Look at the Teacher's Guide for the Mock Coroner's Inquest for the roles of the coroner, counsel, jury, court clerk and sheriff.

## **Inquest Counsel Witness #1**

### **Jill Schwartz – Girlfriend of Deceased, Luke Patel**

In this mock inquest you will play the role of Jill Schwartz, the girlfriend of the deceased, Luke Patel. At the time of the inquest you are 17 years old. You have been Luke's girlfriend for the past ten months.

On July 10<sup>th</sup> this past year, you, Luke and your friends Kerry McDonald and Sam Pella were hanging out together. Luke, Sam and Kerry had just graduated from Grade 12. At the time, you had just finished Grade 11.

It was a Wednesday and you were off school for the holidays. Luke had a part time job at Safeway but was off that day. His parents were away on vacation and he hadn't gone away with his parents because he had some shifts later that week. He had been trying to save money because he was supposed to start at Simon Fraser University in the fall.

You all live in the Mount Pleasant area of Vancouver. That Wednesday was hot, and Luke called you and suggested that you, Kerry and Sam all meet at his house and then go to the local pool for a swim. You said you'd meet him at his house around 1:00 pm.

You got to his house around that time, and you noticed that Sam had already arrived. It was clear that Luke and Sam had been drinking. There were a few beer cans on the kitchen counter. Luke told you that his parents had left some beer in the fridge. He offered you a beer but you said you didn't like the taste. Luke said that his parents had some vodka and went to get it.

Then Kerry arrived and the four of you headed off to the pool. Luke and Sam were acting a bit goofy, but they didn't really seem drunk and you didn't make anything of it. They had only had a couple of beers and, at the time, you didn't think it was a big deal.

On the way you all stopped to buy some pop and slurpees to drink at the pool. Behind the convenience store Luke took a bottle of vodka out of his backpack and poured some of it into a bottle of pop. He said that this way, you guys could have a few drinks at the pool without the lifeguards catching on.

You got to the pool and the cashier didn't seem to notice that Luke and Sam had been drinking and let you all in. It is a small outdoor pool in your neighbourhood, and is generally crowded on a hot day but is a great place to hang out. There is a grassy area off to one side of the pool. You guys headed over to a corner of that area and set up your towels and started to sunbathe.

After you had been lying there for a while, you can't remember exactly how long, you got up to get a magazine out of your bag. You noticed that Sam and Luke had nearly finished the pop. Sam said that he would go get some more pop from a machine he had noticed was just outside the pool and left.

Luke then said he was hot and wanted to go for a swim. He walked over to the lane in at the shallow end and yelled to you, "I bet I can swim the whole length without taking a breath!" and dived in head first.

You noticed that he had dived in at a sharp angle. At first you couldn't see him and thought he was trying to swim the length of the pool underwater. Then you noticed that he was floating face down near where he had entered the water.

Shortly after that you heard the lifeguard on the other side yell "backup!" The lifeguard jumped in the shallow end and turned Luke over. The other lifeguard followed shortly after. Your recollection is pretty blurry after that point but you know that the two lifeguards pulled Luke out of the pool on a yellow board and tried to revive him.

You can't believe Luke is dead. You feel guilty that you didn't watch him more closely that day.

## **Inquest Counsel Witness #2**

### **Davinder Singh – Pleasant Pool Head Lifeguard**

In this mock inquest you will play the role of Davinder Singh, the head lifeguard at Pleasant Pool. You have been a lifeguard for the last 5 years with the Vancouver Parks Board. Every year you renew your C.P.R (cardiopulmonary resuscitation) certification, and every other year you renew your National Lifeguard Service and first aid certifications, as is required. All your certifications are up to date.

In the summer you work full time at Pleasant Pool, and in the winter you work part time at UBC pool while studying there as an undergraduate in psychology.

The pool was open for the season on July 1. On July 10th you opened the pool for the day at 11:00 am. It was pretty quiet at first, but by 1:00 pm the pool was packed which was not unusual for a hot day. About 4 day care groups of fifteen to twenty kids had come to the pool, and as usual, didn't have enough leaders for all the kids. Some of the groups had called ahead to tell you they were coming like they were supposed to, but there were a couple of groups that had just shown up.

In addition to all the kids, it was just generally busy because it had been such a hot day. You had talked to the other lifeguard who you work with, Nicole Stewart, and you both decided to ask for another lifeguard. On really hot or busy days you call the Parks Board lifeguard dispatch and they send you an extra lifeguard. You had called for an extra lifeguard at 1:00 pm, but they weren't due to arrive and start working until 3:00 pm.

Generally you and Nicole alternated between an hour life guarding at the pool, and an hour off the pool deck doing first aid, cleaning up, and other assorted tasks. This hour on – hour off routine lets you rest so that when you come back to lifeguard you are refreshed and can concentrate. When you each rotate off the pool deck you generally make sure to circle around the pool and grassy area to make sure everything's okay. Today the pool was so busy you and Nicole decided you would both be watching it together until your extra lifeguard arrived.

Nicole was stationed at the deep end of the pool, concentrating on the two diving boards and making sure that kids were taking their turns and not jumping on top of each other, a frequent problem. You were stationed between the middle and shallow end, opposite the grassy side, and while you were scanning the whole pool, much of your attention was on the little kids from the day care. Many of those kids were not good swimmers and the day care leaders had to watch 3 or 4 of them.

Out of the corner of your eye you noticed a guy walk towards the lane on the other side of the pool. He yelled something to someone on the grass and then just dived in head first before you could tell him there was no diving in the shallow end.

Immediately you knew something was wrong as he had dived in at such a sharp angle and was now floating face first in the shallow end. You yelled to Nicole for backup, and got in the water close to where the guy was floating. You turned him over using the cervical clamp procedure you had practiced and noticed he was unconscious. You listened for breathing but couldn't hear anything. Nicole had cleared the pool of all the swimmers, and had told the cashier to call 911. Nicole then went over to the place where you keep the spine board, the board on which you put people who have had a spinal injury, but some people had draped their towels over it and there were a couple of lawn chairs in front as well. It took her a little extra time to bring the board over.

You worked together and got the guy out of the water on the board according to procedure. You can't remember exactly how long it took, but it couldn't have been more than a couple of minutes. You are really proud of how you and Nicole did this so smoothly – you had practiced this procedure many times and everything went according to plan.

Once you got the guy out of the water and had been checking his vital signs, you noticed that his breath smelled of alcohol. He wasn't breathing and you couldn't find a pulse so you continued with C.P.R. A couple of minutes later the ambulance arrived and took over. The paramedics took the young man to the hospital. You believe he may have already died before the ambulance arrived.

Since the accident you noticed that the sign painted on the deck at the shallow end which says "No Diving" has faded quite a bit.

You are very upset that this happened at your pool. You take pride in preventing accidents, not in saving people that have gotten into trouble.

### **Inquest Counsel Witness #3**

#### **Dr. David Chow – Pathologist**

In this mock inquest you will play the role of Dr. David Chow, the pathologist who conducted the post-mortem (i.e. autopsy) of Luke Patel. You work as a Forensic Pathologist at Vancouver General Hospital and as a Clinical Instructor in the Faculty of Medicine at the University of British Columbia. You graduated from the University of Toronto Faculty of Medicine in 1991 and completed post-graduate training in forensic pathology at the Cook County Medical Examiner's Office, Chicago, Illinois between 1992 and 1993. You have worked at Vancouver General Hospital since that time.

You were called by the coroner on July 10th to conduct the post-mortem of Mr. Patel. The post-mortem took place on July 11th at Vancouver General Hospital.

The post-mortem revealed that Luke Patel had suffered from a partially transected (severed) spinal cord between his C1 and C2 cervical vertebrae. Those vertebrae were also fractured quite severely. However, the injury Mr. Patel sustained to his spinal cord and vertebrae did not directly cause his death. The transection of Mr. Patel's spinal cord prevented his brain from telling his body to breathe, resulting in a lack of oxygen to his brain and other organs.

It is your medical opinion that Mr. Patel died of respiratory arrest due to the spinal cord injury he sustained.

## **Counsel for the Deceased's Family Witness #1**

### **Tara Patel – Mother of Deceased**

In this mock inquest you will play the role of Luke Patel's mother, Tara Patel.

On July 6th you and your husband left Vancouver to go on vacation in the Okanagan. You had asked Luke if he wanted to go with you, but he had wanted to stay at home so he could make more money at his job. You discussed this with Luke's father, and you both agreed that he could stay at home. Luke has an older brother, but he is in Halifax at university and had stayed there over the summer.

Generally you trust Luke to be responsible. You had never left him on his own for a week, but thought that this would be a good test of his maturity now that he is about to go off to university. You figured that he would be pretty busy with work and wouldn't have much time to go partying or get into trouble.

You are aware that Luke has had alcohol before, but believe that this has only happened on "special occasions" like graduation, for instance. You don't feel the need to "lock up" your alcohol at home because it never occurred to you that Luke would take any – you've never noticed any missing. You don't think that Luke would do something like take beer or vodka without asking.

You admit that you did have some alcohol in the house on July 10th. You and your husband had just hosted a big Canada Day barbeque and had made a lot of blended drinks that night. There was a lot of liquor left over from that event, but you couldn't say how many bottles or what kind.

In your opinion, Luke is a good swimmer. You made sure that he took all his lessons as a child so that he would be safe in the water. You believe that generally he would have had enough common sense not to dive in the shallow end.

You feel that overall you are a good parent and that Luke was responsible. You realize that he may have had a couple of drinks now and then, but certainly not on a weekday in the middle of the afternoon. You don't think he was much of a risk taker or a show-off and you can't believe what's happened. You feel that somebody should be accountable for Luke's death.

In addition, you can't believe how long it took the police to contact you about Luke's death – it wasn't until the end of the day after the accident. You had left your contact information in the Okanagan at home in Vancouver, but no one got in touch with you until Thursday evening. You feel that this was inefficient and disrespectful and this delay in communication has made you even more upset about what happened.

## **Counsel for Party with Standing (Parks Board) Witness #1**

### **Ms. Heidi Langois – Supervisor, Beaches & Outdoor Pools**

In this mock inquest you will play Ms. Heidi Langois, the Vancouver Parks Board Supervisor of Beaches and Outdoor Pools. You have held this position for the last ten years. You began working as a lifeguard for the City 22 years ago. You acted as head lifeguard for the Vancouver Aquatic Centre Pool for a number of years, and have also held the position of head of swim programming for all City pools.

You are currently responsible for the assignment of all full time and part time lifeguards to the City's beaches and outdoor pools. You are also responsible for ensuring that all the beaches and outdoor pools have all the safety and first aid equipment necessary.

The allocation of full time lifeguards to all the beaches and pools happens before Victoria Day each year. Over the course of the summer those lifeguards will work each day at the same pool or beach to which they've been assigned. In addition to the full time lifeguards, there are a number of lifeguards who work "on call" every day. The allocation system works on the basis of seniority. The most senior lifeguards get the full time positions, and the junior, or "rookie" guards get to work on call. Each day those rookie lifeguards interested in working call into your office at 8:30 am and let you know they are available to work that day.

If it is a hot day and you expect a large number of swimmers you will call back those lifeguards wanting work and send them to busy locations. If it is rainy weather, there is no work for them. Generally the system works well in that there are no more lifeguards on duty than needed at any given time.

The on call guards have to be prepared to go to any beach or pool, and sometimes need to get to their assignment on short notice. You try not to send out lifeguards if it is unnecessary as the Parks Board is on a tight budget. Sometimes you will call an on call lifeguard back giving them only an hour to get to their appointed shift.

You recall July 10th as being a particularly busy day. It was hot and most of the pools and beaches were asking for extra lifeguards to help out. The problem was that not many rookie guards had called in that morning looking for work. The last couple of weeks had been rainy, and there hadn't been much work for them, and so they had made other plans this week. You were definitely short-handed and trying to allocate the guards available as best as possible.

You have learned that the boy who died had been drinking. You know that this often happens at beaches, and sometimes pools, and the lifeguards all know to watch out for this kind of behaviour. It is your feeling, however, that the lifeguards' main job is to watch the pool and they can't be responsible to constantly "police" the pool grounds.

Pleasant Pool had the same first aid equipment as any other pool – you made sure of that. However, the upkeep of Pleasant Pool had fallen by the wayside in the past couple of years. It was an older pool and needed a lot of repairs, and the Parks Board had made the decision to close it in a couple of years as it was not generating enough revenue to sustain the upkeep. The plan was to open a bigger pool somewhere nearby which would draw bigger crowds. In the meantime, the Parks Board had not allocated very much money to pool maintenance for Pleasant Pool in this year's budget.

You are very upset about the death of Luke Patel. There hadn't been a death at a beach or outdoor pool since the 1970s. You know Davinder Singh and believe that he is an excellent lifeguard. You feel that it was just a freak accident and that it is not likely to happen again.