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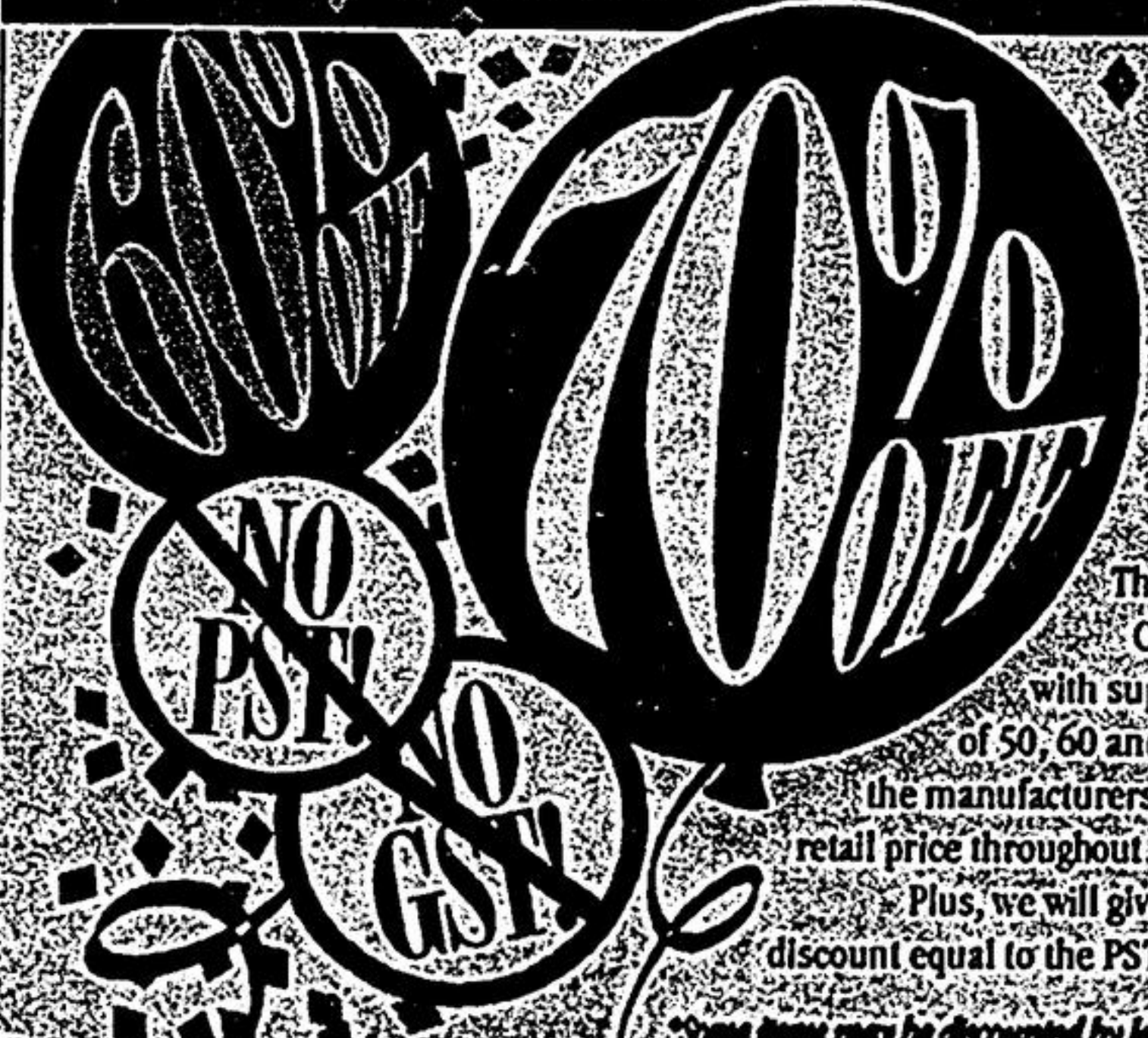
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## INQUEST: Jury calls death of Zachary Morrison-Rogers accidental

# Parents disappointed by ruling

BY RICK VANDERLINDE  
Staff Writer

Two years after their only child's death, seven-month-old Zachary Morrison-Rogers' parents are sorely disappointed with the outcome of a five-week coroner's inquest.

Laura Morrison, 42, called the jury's recommendations "wishy washy, watered down" and "ambiguous." "I was really surprised that the recommendations were so softly worded," she said yesterday. "I thought (the jury) had a good handle on the issues."

Zachary died about 16 days after he was found hanging by the neck from the safety straps of an Evenflo baby seat in a private in-home daycare on April 1, 1997. The inquest focused on private daycares in Ontario, the use of portable infant carriers and children's aid society investigations.

Morrison, who testified at the inquest, said the jury's recommendations aren't specific enough, leaving too much room for government agencies and Evenflo to do nothing.

"I'm not sure that a bunch of politicians and bureaucrats can be trusted to explore and act on this," she said. "The coroner's system may be very admirable, but I'm not sure the political will is there."

Morrison said she was also disappointed that the jury ruled Zachary's death accidental.

She and Zachary's father, Scott Rogers, had asked that the means of the unusual death be ruled "undetermined."

"We still don't have a lot of answers," she said. "We really can't even be sure that it happened in the room (his caregiver) said he did."

The jury heard babysitter Cynthia Taylor found Zachary hanging from the straps of the infant carrier where she had placed him for a nap. The Evenflo seat had been wedged into a wingback chair by Taylor, who closed the door when she left.

But the inquest never determined how the seat-belt straps became unbuckled, since Taylor remains adamant she must have buckled the baby in. One theory raised by Taylor's lawyer was that she unknowingly engaged a secondary release grip on the bottom of the car seat.

The jury has recommended that Evenflo conduct an independently observed test to find out whether the secondary release can be tripped inadvertently.

Morrison's lawyer Frank Gomberg had asked for a stronger recommendation requiring Evenflo to use a spring-loaded release, as required in Europe.

Many of the parents' proposed recommendations weren't adopted by the jury.

Morrison said she especially hoped the jury would recommend children's aid societies be forced to provide record clearance letters to private daycare providers. The letters would be shown to parents who demand a CAS clearance from a potential babysitter. "The (York Region) CAS kept talking about confidentiality issues, but I don't buy that," she said. "If the police can do it, why can't they? Police have just as many confidentiality issues."

Morrison fears the weakly worded recommendations won't be enough to prevent a similar death in a private daycare.

## JURY'S RECOMMENDATIONS

The coroner's jury investigating Zachary Morrison-Rogers' death offered these recommendations Tuesday:

- The Ministry of Community and Social Services should start a serious review of the Day Nurseries Act and how child care is provided in Ontario.
- The ministry should pursue a public information and awareness campaign, telling parents what they have to be aware of when they're looking for private daycare for their children.
- The ministry should establish a reporting system to be used by all children's aid societies that would provide statistical data to the ministry on a regular basis and in a standard format.
- The ministry should review its Intervention Spectrum, the criteria that caseworkers use to determine how a situation may or may not be handled by the children's aid society.
- The ministry should discuss with Ontario's children's aid societies the possibility of establishing a roster of trained social workers, who could be assigned temporarily to help societies if the number of cases jumps dramatically.
- Evenflo should make the warning that appears on its infant carriers — that babies should never be left unattended — more visible.
- Evenflo should review the safety labeling on the carrier and in the Evenflo manual with a view to improving safety information for the consumer — especially information about how the carrier can be used.
- Evenflo should test the second release handle on the infant carrier to see if it can be inadvertently released by someone carrying the seat.
- York Regional Police should modify their automated call system to make sure a call involving a child with no vital signs cannot be closed until an officer has visited the scene and started an investigation.
- York police should adopt a policy of assigning experienced criminal investigators to cases involving children with vital signs absent and a supervisory officer should be assigned to monitor the progress of the investigation.
- Police, when working with the children's aid society, should review its files for any information that could pertain in any way to the matter. That information should be shared with children's aid. The CAS should follow the same practice.
- Health Canada should produce and distribute a consumer information safety sheet that warns consumers about how to use infant carriers or car seats properly, including issuing appropriate warnings.
- Health Canada should review the use of child restraints outside of motor vehicles and consider whether or not regulation of the products is needed, whether by government intervention or through self-regulation by the manufacturers.
- York Region should consider upgrading its method of handling 911 service to a system similar to the one operating in Toronto (a call centre operated by members of the police service to assess calls and dispatch appropriate response) and should assess the current level of paramedic service available to residents.



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