



Loch Lomond & The Trossachs National Park Authority
Carrochan
Carrochan Road
Balloch
G83 8EG

3rd September 2021

FOI Ref: 2021/019

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

We refer to your request for information, received by email on 5th August 2021. Your specific requests and the Park Authority's response are provided below.

“Please provide copies of all correspondence, minutes, memos and file notes relating to drownings at Loch Lomond and the River Leven broken down by year since 2019.”

The National Park Authority is not an emergency service, but is part of a multi-agency incident response plan for Loch Lomond, which is coordinated by Police Scotland. Some email correspondence and the Ranger deployment reports, which refer to the drownings at Loch Lomond and the River Leven are attached.

Please note that some information has been redacted, specifically external third party names and contact details as well as the details of Park Authority staff below manager grade. This information is exempt from release under sections 38(1)(b) and 38(2) of the Freedom of Information (Scotland) Act 2002.

This exemption is an absolute exemption under the Freedom of Information (Scotland) Act 2002, which means we do not need to consider the public interest in the disclosure of this information, it is completely exempt from release.

Some email correspondence referring to the drownings has been withheld from release, specifically internal emails and correspondence with the emergency services, on operational aspects of the co-ordinated response to the drownings. This information has been withheld from release under Section 34(2)(b)(i) of the Freedom of Information (Scotland) Act 2002 (FOISA).

Information will be exempt from disclosure if at any time, it has been held by a Scottish public authority for the purposes of making a report to the procurator fiscal as respects the cause of death of a person under Section 34(2)(b)(i).

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The content of withheld emails is used to assist Park Authority Rangers in providing statements, which form part of multi-agency reports to the Procurator Fiscal service.

The exemptions in section 34 are all subject to the public interest test. This means that, even if an exemption applies, the information must be disclosed unless the public interest in withholding the information outweighs the public interest in disclosing it.

The Park Authority has considered the public interest in relation to the information. This means assessing whether, in all the circumstances of the case, the public interest is better served by disclosing the information or by maintaining the exemption.

Public interest in disclosure

The recent tragic events on Loch Lomond and the river Leven leading to loss of life have attracted considerable attention in the media. There is a recognised interest in the actions of the Park Authority and the emergency services in responding to these incidents. We recognise the strong public interest in water safety. There is a public interest in individuals being able to exercise their rights under FOI legislation, to enhance their understanding of the work of a public authority, and to ensure openness and accountability.

Public interest against disclosure of withheld information

It would not be in the public interest to disclose sensitive, operational information relating to individual drowning cases. The emails detail specific information regarding the involvement of staff members in individual cases. The emails are used by members of staff involved to prepare statements, which form part of multi-agency emergency service reports to the procurator fiscal. It is important that staff are able to report matters such as this in their own words and without the expectation that their reporting at the time of such incidents will be published, to ensure that information provided to the procurator fiscal is accurate.

Application of public interest test

In respect of the withheld information under Section 34(2)(b)(i) we have considered the public interest test, i.e. the public interest in favour of disclosure balanced against the public interest in maintaining the exemption. In considering the public interest, we have given careful consideration to the content of the information, the current context and the effect of disclosure, not only for the requester, but also for the Park Authority's ability to perform its functions effectively and for the wider general public.

In considering the public interest, we have concluded that the public interest would be better served by withholding the emails from release in this case.

The Park Authority has issued press statements following fatal drowning incidents, which can be found on our website via the following links:

- <https://www.lochlomond-trossachs.org/park-authority/blog/statement-on-fatal-incident-in-loch-lomond/>
- <https://www.lochlomond-trossachs.org/park-authority/blog/statement-on-loch-lomond-fatalities/>

We can therefore advise under Section 25 of the Freedom of Information (Scotland) Act 2002, that this information is publically available and easily accessible. This is an absolute exemption which means there is no requirement to apply the public interest test to the release of the information as it is already publically available.

“What additional measures have been taken and when, in relation to drownings at Loch Lomond and the River Leven broken down by year since 2019.”

The following measures have been taken in relation to drownings, as part of a range of work undertaken by the Park Authority on water safety including work in co-operation with water safety partner agencies:

2019 – Initial research into the Scotland’s Drowning Prevention Strategy (2018 – 2026) <https://watersafetyscotland.org.uk/media/1213/scotlands-drowning-prevention-strategy.pdf> led to the National Park Authority setting up a specific water safety project.

2020/21 - Project Actions taken

- Upgrades to PRE, new location signage and where appropriate new hazard warning signage on our sites around Loch Lomond completed.
- Updated visitor risk assessments for Loch Lomond sites to reflect RoSPA guidance.
- Worked with local land owners on West Loch Lomond to agree permission to erect PRE and signage at identified camping management permit sites and tourist hot spot.
- Drafted a Water Safety Policy in line with RoSPA guidance and Scotland’s National Drowning Prevention Strategy - <https://www.watersafetyscotland.org.uk/docs/water-safety-policy-scotland.pdf>
- Worked with West Dunbartonshire Council along with Police Scotland, Scottish Fire & Rescue, Loch Lomond Rescue Boat and Open Water Rescue to identify sites on West Dunbartonshire Council owned/managed sections of the River Leven.
- Liaised with Stirling Council and Argyll and Bute Council with regards our approach to water safety signage and offered to provide templates to provide consistency.
- Earlier this year a Partnership Approach to Water Safety (PAWS) initiative was set up for partners in West Dunbartonshire and this has also been rolled out in Argyll & Bute and Stirling and Clackmannanshire. The National Park Authority sit on all groups and have provided each with examples of our upgraded PRE, location signage and hazard warning signage where appropriate. Each PAWS group is keen to adopt a similar strategy. The National Park Authority has promoted the need for all local authorities to work towards a water safety policy and provide a consistent approach.
- Our water safety policy will be shared with local authorities and we have promoted Perth & Kinross water safety policy to them for reference.
- A series of water safety sessions were arranged for 2020 (Year of Coasts and Waters) and this tied in with our water safety objectives. Unfortunately due to Covid all events were cancelled and we are hoping these events will take place in 2022.
- In preparation for the 2021 visitor management season we identified dates within our Comms plan to highlight water safety and ensure ongoing social media posts on responsible access within the core summer months. We have put out posters to

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promote safe swimming and safe water sports recreation. We issue press releases to the media to raise awareness of water safety advice and risks. We regularly update our website to ensure everyone stays safe while visiting the National Park - <https://www.lochlomond-trossachs.org/plan-your-visit/respect-park-stay-safe/fun-stay-safe-water/>

- Where possible we have delivered pop up water safety events at key areas around Loch Lomond and the River Leven.
- We are hoping to resume a 2 week local education programme for all primary 7 pupils in West Dunbartonshire in September. National Park Rangers have delivered water safety advice to pupils for over 12 years at this event, along with emergency Service partners who deliver other safety advice such as drugs awareness and Fire safety.
- Phase Two of the project looking at water safety on National Park Authority sites outwith Loch Lomond is now under way.

Yours sincerely

Information Management Loch Lomond and the Trossachs National Park Authority

Review Procedure

If you are dissatisfied with this decision, or the way in which the Authority has dealt with your request, you are entitled to require the Authority to review its decision. Please note that in order for a review to take place you are required to:

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later.
- address your review request to:

Information Manager
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
Balloch
G83 8EG
E-mail: info@lochlomond-trossachs.org

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

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If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464610
Website: www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

Online appeal portal: www.itspublicknowledge.info/Appeal

Correspondence

From: Gordon Watson
Sent: 08 April 2019 10:29
To: Lochlomond <all@lochlomond-trossachs.org>
Subject: Loch Lomond Incident

Hi

I am very saddened to have to let you know that an incident occurred on Loch Lomond over the weekend resulting in a death of a boat owner who had travelled to Inchmurrin on Saturday night.

Yesterday our Rangers at the Slipway were notified that a boat had been found about a hundred yards north of Burnfoot jetty on the west shore of Loch Lomond with the keys still in the ignition and no fuel in the tank. The Police were called and after investigation of the boat a search was instructed, which resulted in the Luss Rescue Boat recovering the body of the gentleman. The Police have opened an investigation into the cause of death.

I am very grateful to our staff who attended the incident and would like to thank them for all their efforts and professionalism at what was understandably a difficult and distressing incident.

The incident has already been reported in the [media](#). If you receive any calls or enquiries please refer them to Joanne Ford or XXXXXXXXX in the Communications Team.

Many thanks

Gordon Watson
Chief Executive
Loch Lomond & The Trossachs National Park
Direct: XXXXXXXXX
www.lochlomond-trossachs.org
www.twitter.com/lomondtrossachs
www.facebook.com/lomondtrossachs

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From: Simon Jones

Sent: 24 July 2021 08:56:51

To: XXXXXXXX@gmail.com; XXXXXXXXt@icloud.com; XXXXXXXX@argyll-bute.gov.uk; XXXXX@dundee.ac.uk; XXXXXXXn@tabardit.co.uk; XXXXXXXd@stirling.gov.uk; XXXX@jXXXXXXcom; XXXXXXXy@west-dunbarton.gov.uk; XXXX@btinternet.com; James Stuart; XXXX@stirling.gov.uk; XXXX@pkc.gov.uk; XXXXXXX@argyll-bute.gov.uk; XXXXXXX@gmail.com; XXXXXXX@gmail.com; XXXXXXXt@btinternet.com

Cc: Executive; Joanne Ford

Subject: Drowning incident on Loch Lomond

Dear Board Members

In Gordon's absence I wanted to make you aware of a tragic drowning incident on Loch Lomond last night, which you may have already picked up from the media.

Our Boat Team was involved in the search for a missing teenage boy near the Balloch Country Park pier area at around 6pm last night (Friday 23rd July). A multi-agency response was soon in progress which sadly led to the recovery of the body by the Loch Lomond Rescue Boat team a short time after.

Our thoughts go out to the boy's family and friends, and as well as offering our thanks and support to our staff involved in the search, we have prepared reactive comms lines should we receive enquiries from the media. Police Scotland as the lead agency have already released a statement.

The recent period of warm, dry weather has seen a surge of visitors to the National Park, with thousands enjoying our lochs for swimming, paddling and other watersports. Over the past year a water safety project has been underway which has seen several new signs and public rescue equipment (PRE) installed at key locations around the loch. This has been focused primarily on our own sites and working with local authority partners to encourage similar measures on sites they own or manage.

You may also be aware that our Rangers and Communication Team have been working with partners in Police Scotland, Fire and Rescue Scotland and RNLI to promote water safety, with recent pop-up events, campaigns and social media posts during the visitor season. We will continue with this work with our partners to ensure we are doing what we can to help people stay safe on and around the water.

This incident is another tragic reminder of the dangers that can come from our lochs.

Yours

Simon

Simon Jones
Director of Environment & Visitor Services
Loch Lomond & The Trossachs National Park Authority

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From: Simon Jones
Sent: 25 July 2021 16:11
To: Lochlomond <all@lochlomond-trossachs.org>
Subject: Second Drowning Incident

Dear Colleagues

I am afraid that I need to inform you of another tragic drowning incident on Loch Lomond which sadly took place last night (Saturday 24th July).

Involving a large family group who entered the water near Rubha Ban on West Loch Lomond and got into difficulties, this tragically resulted in a man, a women and a child drowning, with another child being taken to hospital and remaining in a critical condition.

The A82 was temporarily closed as emergency services vehicles were stacked along it for search and recovery purposes. Again staff from our Boat Team were very quick to react to the emergency call being issued and were the first on scene. The Team located two of the family members and then directed the Loch Lomond Rescue Boat in their search and recovery operation.

Following the drowning off Balloch park on Friday night, this latest incident has created one of the most tragic weekends the National Park has seen and our thoughts go out to all the family and friends affected. With multiple drownings across the UK over the past few days, the recent good weather has taken a heavy toll and no doubt there will be raw emotions and demands for more action aired across the media. We now have statements related to both incidents on the news pages of our website.

We will continue to work with our partners regarding information and rescue equipment to promote water safety for all our visitors.

We will also be supporting our Boat Team and associated staff in what has been a very challenging and exhausting few days. Other teams are working hard to maintain our facilities and messages with large volumes of visitors still coming to the Park. I was in Balloch both yesterday and today to support the Boat Team and also took some time to walk round to thank several of the many Police Officers that have been busy in the area maintaining order in recent days.

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We are all very much hoping that the coming days are quieter and safer for everyone.

Simon

Simon Jones
Director of Environment & Visitor Services
Loch Lomond & The Trossachs National Park Authority

From: Simon Jones

Sent: 27 July 2021 18:53

To: XXXXXX@gmail.com; XXXXXX@icloud.com; XXXXX@argyll-bute.gov.uk; XXXXXX@dundee.ac.uk; XXXXXX@tabardit.co.uk; XXXXXX@stirling.gov.uk; XXXX@XXXXX.com; XXXXXX@west-dunbarton.gov.uk; XXXX@btinternet.com; James Stuart <James.Stuart@lochlomond-trossachs.org>; XXXX@stirling.gov.uk; XXXX@pkc.gov.uk; XXXXXX@argyll-bute.gov.uk; XXXXXX@gmail.com; XXXXX@gmail.com; XXXXXX@btinternet.com

Cc: Executive <Executive@lochlomond-trossachs.org>; Joanne Ford <Joanne.Ford@lochlomond-trossachs.org>; Kenny Auld <kenny.auld@lochlomond-trossachs.org>; Matt Buckland <matt.buckland@lochlomond-trossachs.org>; Leigh Hamilton <leigh.hamilton@lochlomond-trossachs.org>; James Downie <james.downie@lochlomond-trossachs.org>; XXXXXX <XXXXXX@lochlomond-trossachs.org>; XXXXXX <XXXXXX@lochlomond-trossachs.org>; XXXXXX <XXXXXX@lochlomond-trossachs.org>

Subject: Re: Drowning incident on Loch Lomond

Dear Board Members

I am writing to you with a further update on the tragic drowning events that took place in the National Park last weekend.

Once again I am afraid that I bring further sad news of another drowning related death, which brings a total of 5 lives tragically lost over the course of a few days. Later on Sunday 25th we received reports from a local landowner and subsequently Police Scotland that an unconscious 34 year old man from Edinburgh had been recovered from Loch Lubnaig by the south car park area and following CPR he had been evacuated to hospital. Earlier today we learnt from Police colleagues that he had unfortunately succumbed to his injuries and died. Police Scotland have still to release a statement on this incident but we have prepared a statement for our website when this news becomes public. Statements on the drowning incidents at Balloch on Friday 23rd and Ardlui on Saturday 24th can be found on our website [here](#).

With this latest incident it is increasingly difficult to put into words the scale and sense of loss that the Park has seen and the feelings of the Park Authority and partner staff involved. Any of you that have seen the media coverage of Mr Waris Ali who lost his wife, son and friend to

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drowning near Ardlui last Saturday night can only imagine the grief that will be affecting multiple families at present and our thoughts and sympathies are with all of them. We are offering specialist support to all of our staff involved.

These tragic stories have been widely covered by multiple media channels and platforms, including all the major channels with much of the content was aired yesterday. Along with representatives of Scottish Fire and Rescue, RNLI and Police Scotland, the Park Authority Comms Team and I spent most of yesterday dealing with media enquiries and conducting interviews focusing on water safety messages.

Since the weekend Park Authority and partner staff have been engaged in de-briefing sessions and meetings to take stock on the tragedies and identify next steps. As is the standard protocol Partnership on Water Safety (PAWS) meetings will now take place in each of the local authority areas to review the incidents and consider recommendations and proposals for action. Leigh Hamilton of our Ranger Service attends these meetings on our behalf and I have asked Leigh to promote a coordinated approach across the local authority PAWS groups in the Park. The Argyll & Bute PAWS group met yesterday, the Stirling PAWS meets tomorrow and the West Dunbartonshire PAWS next week. I am also looking to meet with Police and Loch Lomond Rescue Boat colleagues in the coming days for a de-brief of the Loch Lomond incidents and identify any recommendations for improvement. At the same time Leigh is leading the implementation of the Water Safety project for the Park Authority across our own sites and encouraging and supporting partners to implement further proportionate actions on their own land, and through their communication channels.

I and my team will be in touch with you again in the coming days once we have had opportunity to fully digest these events and identified next steps. Can I also say thank you to all the kind messages of support that we have received from many of you. We have received many other messages of support from our partners, including Scottish Government Sponsor Team and the Permanent Secretary, and high praise for our staff and approach in dealing with these harrowing incidents.

best

Simon

Simon Jones
Director of Environment & Visitor Services
Loch Lomond & The Trossachs National Park Authority
Direct: XXXXXXX
Mobile: XXXXXXX

Extracts from Ranger weekend deployment reports

Sun 9 August 2020

Late Boat patrol

1900hrs Late Boat patrol attended an incident at Balloch Bridge – missing person reported in the River Leven. Quickly swapped the Brigadier for the Osprey as more suited to this sort of

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incident. Then were able to assist Scottish Fire and Rescue carry out line searches from the boat. Returned to Slipway at 2200, Police Scotland divers were still on scene. UPDATE – Loch Lomond Rescue boat confirmed the body of a young girl was retrieved.

23-25 July 2021

An extremely difficult weekend for NPA staff and emergency services with numerous major incidents at Loch Lomond and around the wider National Park area.

Loch Lomond - Friday

Late patrol Around 1800hrs a message was received advising a member of the public in difficulty in the water around Balloch. A search and rescue operation involving Loch Lomond Rescue Boat, NPA patrol, Police, Coastguard, Scottish Fire and Rescue took place. Sadly, a deceased casualty was recovered by Emergency Services.

Saturday

Around 1900hrs a 999 call was received via pager, reports of members of the public in difficulty in the water in the Ardlui area. NPA Patrol boat was first on the scene with Loch Lomond Rescue boat and emergency services in attendance. Patrol was stood down around 2100hrs, sadly multiple deceased casualties were recovered by Emergency Services from the loch.