

## **01-30-2010 – Canada FF-PSD – Gary Kendall – Ice Training – Fined - Updated**

### **FIREFIGHTER CRITICAL IN NEAR DROWNING INCIDENT WHILE DOING TRAINING - ONTARIO, CANADA**

<http://firefighterclosecalls.com/fullstory.php?101078>

Saturday, January 30, 2010

In Ontario (Canada) an ice water rescue training drill turned into the real thing just after noon today when a Firefighter became trapped under the ice. The 51-year-old member of Point Edward Volunteer Fire and Rescue (near Sarnia) had to be rescued by other Firefighters at a park near a water treatment plant. Firefighters rescued the man from the icy water and he was taken by EMS to the hospital and remains in critical condition.

The Ontario Provincial Police crime unit and OPP Forensic identification unit are investigating the incident along with the Ontario Ministry of Labor (OSHA). Additional details to follow,



### **Firefighter dies in mock ice rescue**

<http://cnews.canoe.ca/CNEWS/Canada/2010/02/01/12690206-qmi.html?cid=rssnewslast24hours><<http://cnews.canoe.ca/CNEWS/Canada/2010/02/01/12690206-qmi.html?cid=rssnewslast24hours>>

February 1, 2010 By TARA HAGAN, QMI AGENCY

SARNIA, Ont. -- Members of the Point Edward Volunteer Fire Department are grieving the loss of one of their own who died after being trapped under ice during a training exercise.

Gary Kendall, 51, succumbed to his injuries in hospital Sunday morning, a day after the tragic weekend ice-water rescue training session.

Vehicles lined the streets outside the village's fire hall, where fellow firefighters and their families gathered Sunday as news of the tragedy spread.

"It's a black day in the Village of Point Edward," said Mayor Dick Kirkland, who was a friend and neighbour of Kendall's.

Kendall leaves behind his wife, Brenda, and three children, Myrissa, Corey and Joshua.

"Gary was a very dedicated fireman. He was so well respected; I have all kinds of good things to say about him," Kirkland said. "This is just a sad, sad day."

### **TRAINING SESSION**

Lambton OPP say the incident occurred around 12:30 p.m. Saturday, when members of the fire-and-rescue team were conducting the training session near Waterfront Park.

Kendall somehow became trapped under the ice before fellow firefighters were able to pull him out.

He was transported to Bluewater Health, Mitton site, where he was initially in acute care.

The OPP is investigating and the Ministry of Labour has been notified.

"This is a terrible loss for the Point Edward Fire and Rescue and for the Village of Point Edward in general," said Lambton OPP Const. Chrystal Jones.

"Our hearts go out to Gary's family and to all those who will be touched by his death. He will be sadly missed by many."

### **UPDATE: FIREFIGHTER DIES IN THE LINE OF DUTY- DROWNS DURING WATER/ICE RESCUE TRAINING IN CANADA**

<http://www.firefighterclosecalls.com/fullstory.php?101103>

Sunday, January 31, 2010

The Firefighter from the Point Edward (Ontario, Canada) Volunteer Fire Department who became trapped under the ice during an ice water rescue drill yesterday has now died of his injuries.



Firefighter Gary Kendall, 51, from Point Edward was taking part in the ice water rescue training session Saturday (yesterday) afternoon when he became trapped under the ice. Other members from the fire department pulled him from the water and he was taken to the hospital by emergency medical services-where he succumbed to his injuries earlier today. FF Kendall leaves behind his wife, Brenda, and three children, Myrissa, Corey and Joshua.

As always, our sincere condolences.

## **Mock ice rescue deadly**

<http://www.lfpress.com/news/london/2010/02/01/12692121.html>

1st February 2010 By CHIP MARTIN, THE LONDON FREE PRESS

### **POINT EDWARD: It's unclear how volunteer firefighter Gary Kendall, 51, became trapped under the ice during a training exercise**

Hearts are heavy and flags at half-mast in Point Edward as the village mourns the loss of volunteer firefighter Gary Kendall.

Kendall, 51, succumbed Sunday to injuries sustained when an ice-water rescue training exercise just north of the Blue Water Bridge went horribly wrong Saturday.

Somehow, during the session at Waterfront Park beside the mouth of the St. Clair River about noon, Kendall slipped below the ice and became trapped. His fellow volunteers rescued him and he was sent to Bluewater Health hospital where he was treated in the acute care unit.

Kendall, a member of the 30-member Point Edward fire and rescue since 1993, is survived by his wife, Brenda and children Myrissa, Corey and Joshua. "Gary was a great fireman and he was doing a great job," said Point Edward Mayor Dick Kirkland, who said Kendall was a neighbour and a friend. "It's a sad day in Point Edward," said Kirkland. "We can't say enough about the good work of the volunteer fire department."

"The condolences of village council go out to his family," the mayor said. Himself a former volunteer firefighter, Kirkland said he thinks this is the first volunteer firefighter to die in the line of duty in Point Edward.

Kirkland said he couldn't comment about the incident because of the investigation underway by Lambton OPP and the Ontario Labour Ministry.

"There are no words to express the feelings of this community in this tragic loss," Kirkland said in a prepared statement. "We are all extremely proud of Gary Kendall and everything he stood for. The entire community holds the same sentiment."

The mayor said flags were at half-mast in the community of about 2,000 and the Sarnia Fire Department is covering the village so volunteer firefighters can come to grips with the loss of their colleague.

Point Edward Fire Chief Doug Mackenzie was to spend a good part of Monday meeting provincial police and Labour Ministry investigators. In Sarnia, Mayor Mike Bradley said Fire Chief Pat Keyen had decided to take over fire protection of the village, which abuts the city, and will continue to do so as long as needed.

Bradley said he'll order flags in the city flown at half-mast the day of Kendall's funeral and expects Sarnia firefighters to again take over fire protection in Point Edward that day so the volunteers can say goodbye to their friend. "It's like a fraternity," Bradley said of the courtesies firefighters extend to each other in time of tragedy.

## **Volunteer Ont. firefighter dies in mock rescue**

<http://www.cbc.ca/canada/windsor/story/2010/02/01/point-edward-fire-fighter-100201.html>

**February 1, 2010**

An Ontario volunteer firefighter is dead after a training exercise took a deadly turn near Sarnia on Saturday.

Gary Kendall, 51, of Point Edward was taking part in a water rescue drill when he got trapped under a sheet of ice.

The man's fellow firefighters managed to pull Kendall to safety, and he was taken to Bluewater Health hospital where he died Sunday morning from his injuries.

The death has shaken many in Point Edward, a village of about 2,000 people at the mouth of the St. Clair River.

Its fire department is almost entirely volunteer, made up of 30 residents, and a paid fire prevention officer and fire chief.

**'It's a wake up call that it's your neighbour it's your brother right next door and you know I think it wakes everybody up.'**

*—Pat Cayen Sarnia Fire Chief*

Pat Cayen, chief of the nearby Sarnia Fire Department, said he spoke with Point Edward Fire Chief Doug MacKenzie on Sunday to express his condolences on behalf his force, and others across the country that rely on volunteers to save lives.

"It's a slap in the face, " Cayen told CBC News. "It's a wake up call that it's your neighbour, it's your brother right next door and you know I think it wakes everybody up."

Cayen said Kendall's death in the line of duty will remind all firefighters of the dangers they face each day.

Kendall leaves behind a wife and three children.

Cayen said the family has not yet made funeral arrangements but that he expects firefighters to come from across North America to pay their respects.

"[There's] a lot of sorrow in the whole fire community, not just in Point Edward, but the whole fire services is feeling the same way to lose one of our own," said Cayen.

The Ontario Provincial Police Lambton crime unit and forensic identification unit are investigating. The Ministry of Labour has also been contacted.

## **Training changes likely after death of Firefighter**

<http://www.lfpres.com/news/london/2010/02/01/12701461.html>

2nd February 2010 By KATE DUBINSKI, THE LONDON FREE PRESS

The death of a volunteer firefighter from Point Edward will likely result in changes to ice-water rescue training, the Ontario fire marshal's office says. The fire marshal's Ontario Fire College, which trains fire departments across the province, always reviews its procedures after such incidents, said Ed Godden, the academic manager of the Ontario Fire College, based in Gravenhurst.

"Every time there is a fatality, or even a serious incident or injury -- what we call a "near miss" -- we always review our own policies and practices," Godden said Monday. "We will definitely be looking at this incident."

Volunteer firefighter Gary Kendall died Sunday in hospital, a day after he slipped under the water during an ice-water rescue exercise Saturday. Kendall, 51, was training with other firefighters near Waterfront Park at the mouth of the St. Clair River Saturday.

"A large ice floe came down the river, trapping one firefighter under the water," William Lin, a spokesperson for Ontario's Labour Ministry, said Monday.

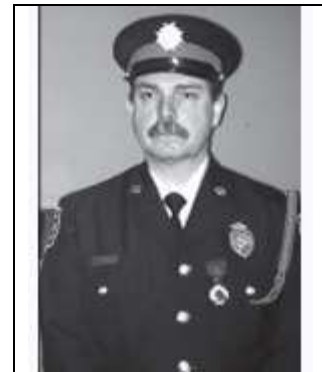
An autopsy was performed Monday in London, but results aren't expected to be released until Wednesday at the earliest.

The ministry and the OPP are investigating the death separately.

Kendall worked as an instrumentation mechanic for Lanxess in Sarnia.

Point Edward fire chief Doug MacKenzie, who spent Monday in meetings with the fire marshal's office and ministry investigators, wasn't available to comment.

The village of Point Edward, which has 30 volunteer firefighters, was mourning the loss, as were other fire departments in the region and across Ontario.



**The death of Point Edward volunteer firefighter Gary Kendall is being investigated and evaluated**

"It really shakes you up," said Brian Devereaux, a volunteer firefighter from Corunna.

"It resonates even more to me because, like myself, Gary was from a volunteer department, and sometimes people have this perception that volunteers don't see or do the same things as a full-time firefighter does.

But, obviously, that isn't the case."

Many times firefighters rush into dangerous situations, taking for granted their training has made them safe, Devereaux said.

"The sad truth is that Gary died while doing something that was to prepare him to be a better rescuer for someone else, if that need ever arose, and that is the ultimate, unselfish sacrifice."

Although the Ontario Fire College did not operate the training in Point Edward, which was handled by a private company, there are several standards to which most training sessions adhere, Godden said.

"We always have a safety officer who's watching what's going on," he said.

Firefighters in the water are always tethered to a person, boat or something ashore, and everyone must wear a personal floatation device, Godden added.

Gord Roesch, a fire-college instructor, said firefighters go through both shore-based and in-water training scenarios.

"How you do the rescue totally depends on the circumstances," Roesch said.

Darren Storey, who heads the occupational health and safety committee for the Firefighters Association of Ontario, said Monday his committee will look at the circumstances surrounding Kendall's death.

"The more times you do ice and water training, the better you get at it, but also the more risk you have," Storey said.

"We have to figure out how (Kendall) got into trouble, and until we know that, we don't know how we can fix it."

For other firefighters, the death is a reminder of the dangers of the job, said Devereaux.

"The fire service is a brotherhood . . . One thing we all have in common is that we care and want to make a difference in the lives of people who we'll encounter in the line of duty."

Kendall's family declined to speak to media yesterday. He leaves behind his wife and three children.

Firefighters from around Ontario are expected at Kendall's funeral, Thursday at 11 a.m. at the Smith Funeral Home in Sarnia.

Premier Dalton McGuinty offered his condolences Monday to Kendall's family and friends.

"A tragic event like this reminds us that many Ontario communities depend on the commitment and courage of volunteer firefighters," McGuinty said in a written statement. "They give up time with their own family to protect other people's families. They put their own safety at risk to make their community a safer place. Today, we are reminded that such caring and commitment can sometimes require the ultimate sacrifice."

### **Full honours funeral for firefighter**

<http://www.theobserver.ca/ArticleDisplay.aspx?e=2368404>

**TRAGEDY: Labour ministry, police investigating river death**

02/02/2010 By [CATHY DOBSON](#), THE OBSERVER

Gary Kendall, the volunteer firefighter who died from injuries suffered during ice-water rescue training, will be given full fireman's honours at his funeral Friday.

Services have been moved to The Holiday Inn at 11 a.m. to accommodate more people, said Scott Smith of Smith's Funeral Home.

News of Kendall's death has touched people far beyond the tight-knit village, including many involved in fire and rescue services.

They're expressing shock and sadness after Kendall, 51, succumbed Sunday to injuries sustained during a training exercise a day earlier in the St. Clair River, just north of the Blue Water Bridge.

Premier Dalton McGuinty offered his condolences in a statement Monday. "A tragic event like this reminds us that many Ontario communities depend on the commitment and courage of volunteer firefighters," the premier said.

"They give up time with their own family to protect other people's families. They put their own safety at risk to make their community a safer place. "Today we are reminded that such caring and commitment can sometimes require the ultimate sacrifice."

Kendall worked as an instrumentation mechanic for Lanxess in Sarnia. Point Edward Fire Chief Doug Mackenzie and Mayor Dick Kirkland were tied up Monday with police and Labour Ministry investigators, and did not return



calls. Roy Dewhirst, fire chief of the volunteer service in St. Clair Township, reflected on the commitment of men like Kendall.

"Point Edward takes the extra step to do in-water training and for the guys to do that, on a Saturday in not-the-best weather, you know they are trying to do what it takes to be better at the job. And the only way you can get better is a lot of training and practice, he said.

"I'm sure everyone in Point Edward is reeling and trying to make sense of it. Yet they still have to function. Volunteer firefighters all have other jobs to get back to and that takes a special commitment."

The Labour Ministry is investigating the incident.

"The Point Edward fire department was conducting ice water rescue training in the water when a large ice flow came down the river, trapping one firefighter underwater," said ministry spokesman William Lin.

No other firefighters were injured, he said.

It could be weeks or months before the investigation is complete, Lin added. Asked whether the training firefighters were tethered in the water on Saturday, Lin replied: "We need to have an investigation looking at all aspects, including whether the Occupational Health and Safety Act was followed."

A professional instructor who once worked with the Point Edward Fire and Rescue said tethering during in-water training exercises is standard practice. "I'm reluctant to make comment specifically about the incident but things like this do happen and I feel for the department and the gentleman's family," said John Innis of Canadian Public Safety, in Woodstock, Ont.

For several years, ending about a decade ago, Innis worked with the 30 men at Point Edward Fire and Rescue. They always trained near Sarnia harbour, he said.

"A situation like this scares the hell out of me. We never trained in the river with Point Edward. My training was in a controlled environment away from the currents."

Innis said as a trainer he felt "terrible frustration" when he heard about Kendall's death.

An autopsy was scheduled for Monday.

Few details have been confirmed by authorities about Saturday's accident, including whether the firefighters were using tethers.



Kendall leaves behind his wife, Brenda, and three children, Myrissa, Corey and Joshua.

Visitation will take place Thursday from 2 p.m. -4 p.m. and from 7 p.m. -9 p.m. at the Smith Funeral Home.

## **Fallen Canadian Firefighter Gary Kendall Funeral Details**

[http://www.firefighterhourly.com/firefighter\\_hourly/2010/02/fallen-canadian-firefighter-gary-kendall-funeral-details.html](http://www.firefighterhourly.com/firefighter_hourly/2010/02/fallen-canadian-firefighter-gary-kendall-funeral-details.html)

**February 03, 2010**

A man who spent his life in the service of others died tragically during a training exercise in Point Edward, Ontario. Gary Kendall will be laid to rest on Friday. A service will be held at the Holiday Inn due to the number of people attending. The service will start at 1100 hours.



Visitation will take place Thursday from 1400 to 1600 and from 1900-2100 at the Smith Funeral Home.

Kendall leaves behind his wife and three children.

## **Point Edward, fire chief charged in firefighter's death**

<http://www.theobserver.ca/2010/08/09/point-edward-fire-chief-charged-in-firefighters-death>

August 9, 2010 TARA JEFFREY The Observer

POINT EDWARD - The Village of Point Edward, its fire chief, and a training officer have been charged in the death of a firefighter who was trapped under ice during a rescue training exercise on Lake Huron in January.

The Ontario Ministry of Labour laid a total of 11 charges under the Occupational Health and Safety Act, court documents show.

Fire chief Doug MacKenzie, the village, and Terry Harrison, of Georgetown, Ont., are each charged with "failing to take every precaution reasonable in the circumstances for protection of a worker."

Volunteer firefighter Gary Kendall, 51, died following a water training exercise conducted at the shoreline of Lake Huron, where the lake enters the St. Clair River.

"I can confirm that charges were laid against the Village and the other named employee defendant," Point Edward Mayor Dick Kirkland said in a statement, Monday.

"As the matter is before the court, out of respect for the court proceedings, our employees, and all other individuals affected by the tragic events, it would be premature and inappropriate to comment.

"The Village has been, and will continue to be committed to health and safety in the workplace," Kirkland added.

Members of the Point Edward fire department were conducting ice water rescue training in the water on Jan. 30, when a large ice flow came down the river, trapping Kendall beneath it, a ministry spokesperson said at the time.

The 17-year veteran of the service was pulled from the water but died the following day in hospital.

No other firefighters were injured in the incident.

The court document, signed by labour inspector Ron Elliott, states the three defendants are charged with failing to ensure that an adequate number of rescuers were on shore at the time of the incident, along with failing to provide adequate equipment, and failure to appoint a safety officer.

The village and MacKenzie - identified as employer and supervisor respectively - have also been charged with failing to ensure that adequate prerequisite training had been completed and/or confirmed.

MacKenzie faces an additional charge of failing to ensure an adequate safety plan was present, and/or failing to review an adequate training plan.

Harrison, listed as a supervisor, is also charged with failing to ensure an adequate pre-training hazard assessment was conducted, and failing to have an adequate training plan and/or adequate pre-training briefing.

A court date has been set for Sept. 10.

## **Charges laid in volunteer firefighter death**

<http://www.cbc.ca/news/canada/windsor/charges-laid-in-volunteer-firefighter-death-1.882469>

Aug 10, 2010 CBC News

The Ministry of Labour has laid 11 charges in connection with the death of a volunteer fire fighter during a training exercise near Sarnia, Ont.

The Village of Point Edward and two of its employees — including the fire chief — are facing charges under the Occupational Health and Safety Act.

On Jan. 30, Gary Kendall, 51, died while taking part in a mock water rescue exercise near the village of approximately 2,000 people at the mouth of the St. Clair River.

Ministry of Labour investigators were on the scene the day the accident occurred.

"The Point Edward Fire Department was conducting ice water training exercises in the water when a large ice floe came down the river, trapping one firefighter underwater," said spokesman Matt Blajer.



**Firefighters from Ontario, Michigan and Ohio lined the streets of Point Edward in February in a tribute to volunteer firefighter Gary Kendall. ((CBC/Heather Wright))**

Kendall's fellow firefighters pulled him to safety, and he was rushed to hospital, where he later died. An estimated 1,200 mourners, including firefighters from across Ontario, Ohio and Michigan, gathered for Kendall's funeral service.

Blajer said the charges relate to failing to ensure adequate prerequisite training and failing to ensure enough rescuers or safety equipment were on shore.

The village fire department is almost entirely volunteer, made up of 30 residents and a paid fire prevention officer and fire chief.

Point Edward Mayor Dick Kirkland acknowledged the charges, but said he wouldn't comment out of respect for the employees and the Kendall family until after the matter has been dealt with in court on Sept. 10.

## **Point Edward fined in firefighter's death**

<http://www.theobserver.ca/2012/03/06/point-edward-fined-in-firefighters-death>  
March 7, 2012 Observer Staff

The Village of Point Edward has been fined \$75,000 in the 2010 death of volunteer firefighter Gary Kendall.

The village pleaded guilty in Sarnia court Tuesday to failing to take reasonable precautions to protect a worker.

Kendall received a small payment for his firefighting duties, but it was a very minor compared to his commitment to his community, said Justice Deborah Austin.

An automatic surcharge increased the amount to be paid by the village to \$93,750.

Kendall, 51, died following a Jan. 30, 2010 ice-rescue training exercise conducted on the shoreline of the St. Clair River where it meets Lake Huron.

After doing swimming and floating exercises, firefighters were instructed to swim out to a moving sheet of ice, climb it, and ride it down the lake. Some of them could not climb the ice floe and attempted to swim back to shore.

On the shore were Fire Chief Doug McKenzie and an accountability officer, according to an agreed statement of facts.

Kendall, a 17-year veteran, attempted to swim back to shore but the floe pushed him under it and he became trapped for about four minutes.

The ice sheet had suddenly and unexpectedly changed direction and moved toward the shore, said Mark Mills, the lawyer representing the village.

Kendall died the following day in hospital from complications of cold water immersion.

"It was a tragically preventable death," said Austin who accepted a joint submission from Crown and defence lawyers for the \$75,000 fine.

A Ministry of Labour investigation determined that although there was rescue equipment in one of the fire trucks parked on shore during the exercise, there was no equipment readily available to pull Kendall onto shore.

Other charges against the municipality and Chief MacKenzie were withdrawn. A two-week trial had been scheduled to commence on May 5.

MacKenzie, the Village of Point Edward, and Terry Harrison, of Georgetown, Ont., were each charged by the Ministry of Labour in the incident.

A total of 11 charges were laid under the Occupational Health and Safety Act. A May 8 trial has been set for Harrison, the trainer who was running the exercise.

Harrison had conducted a similar training exercise in the same location in 2009 without incident.

Since Kendall's death, Point Edward no longer does ice rescue training exercises in the water, Mills said.

In addressing the large number of firefighters in the courtroom, as well as Kendall's wife, Austin said Kendall "died a hero."

The close-knit department was left reeling by his death. Kendall's funeral service attracted a large crowd, and a busload of 50 Point Edward

firefighters, family members and village councillors also attended a memorial service on Parliament Hill in Ottawa last year, where Kendall was honoured.

Point Edward Mayor Dick Kirkland said he's relieved the case against the village has been resolved.

"He was a friend for years and a neighbour and a really good fireman. So it is very hard for me to comment on this thing," he said.

"But I'm glad to see it's all over with."

## **Witness tells trial about firefighter's drowning**

<http://www.theobserver.ca/2012/05/28/witness-tells-trial-about-firefighters-drowning>

May 28, 2012 By Neil Bowen, Sarnia Observer

Point Edward's deputy fire chief exhausted himself battling the same St. Clair River ice that claimed the life of a fellow firefighter during a training exercise on Jan. 30, 2010.

"I was trying to fight my way off the ice," Deputy Chief Richard MacGregor said Monday during the first day of a trial in Sarnia court.

The training contractor, Terry Michael Harrison, of Georgetown, Ont., is facing charges under the Occupational Health and Safety Act.

Harrison is charged with four offences in failing to take reasonable precautions to protect a worker, including failing to have adequate rescuers and equipment available, failing to appoint a safety officer, and failing to have an adequate training plan.

MacGregor was one of 18 firefighters who entered the river where it meets Lake Huron when Gary Kendall, 51, went beneath the water for almost five minutes.

Kendall had no vital signs when pulled from to shore and died the next day in hospital.

MacGregor said the volunteer firefighters had completed one familiarization swim wearing ice-rescue suits when they began a second. The objective was to climb onto a sheet of floating ice.

"I couldn't get up on the ice . . . it kept breaking," MacGregor told the court. MacGregor and other firefighters, including Kendall, tried to swim back to shore, where ice was packed about a foot high.

MacGregor said he couldn't get out of the water and ice was hitting him in the back, winding him.

The pounding ice was starting to draw him down, but he finally managed to reach shore. By that time he was exhausted, as were two firefighters near him, he said.

Point Edward Fire Chief Doug MacKenzie was running toward the shore waving his arms, he said.

A short time later MacGregor said he saw other firefighters pulling Kendall from the river and begin CPR.

"It all happened very quickly," MacGregor said.

The department has been involved in an ice rescue of people, although firefighters did once retrieve a dog from the ice.

Chief Doug MacKenzie testified earlier Monday that he saw Kendall drop beneath the water.

The sheet ice was pounding against Kendall and he saw his helmet go under, MacKenzie said.

He had known Kendall for 25 years and called him an "extremely dedicated" volunteer firefighter.

In the course of six months, Kendall would attend as many as 50 training sessions or fire calls, which would earn him a stipend of about \$1,400 from the village, MacKenzie said.

MacKenzie hired Harrison to conduct the training and had gone with Harrison earlier that morning to look at the training site.

MacKenzie told the court he didn't know the firefighters would be swimming to the ice floe until he saw them doing it.

Although he was listed as the incident commander for the training exercise on a fire department document, MacKenzie told the court, "In this case, I was not the incident commander."

MacKenzie said Harrison instructed the firefighters about the training exercise.

The same training site was used without incident by the department under Harrison's direction the previous year, and Kendall attended that training.

Mackenzie testified he had no experience with the the ice flow patterns at the site, and had no idea if it was safe to swim to the ice floe.

In March, the Village of Point Edward pled guilty to failing to take reasonable precautions to protect a worker and was fined \$75,000.

On the same day similar charges against Mackenzie were withdrawn.

## **Firefighter was trapped under river ice**

<http://www.theobserver.ca/2012/05/29/firefighter-died-in-harrowing-ice-conditions>

May 29, 2012 By Neil Bowen, Sarnia Observer

Trainer Terry Harrison appeared to be in a state of disbelief when a Point Edward firefighter became trapped beneath the ice during a training exercise that resulted in the firefighter's death, a Sarnia court heard Tuesday.

Harrison, of Georgetown, Ont., is charged under the Occupational Health and Safety Act with failing to take reasonable precautions to protect a worker during the Jan. 30, 2010 exercise in the St. Clair River.

Firefighter Gary Kendall, 51, was trapped under the ice and died the following day in hospital after being pulled from the river with no vital signs.

Point Edward Fire Department Capt. David Dobson testified Tuesday that he heard Harrison say, "No, no, this can't be happening."

Harrison, who had been in the water with the firefighters, was near Dobson after both men returned to shore. He appeared to be in a state of disbelief, Dobson said during the trial's second day.

Dobson saw Kendall slip out of sight as both men battled an ice floe pounding them as they tried to climb ashore.

Dobson was one of 18 firefighters who swam out to the moving ice floe in the river, where it meets Lake Huron. They entered at the end of Fort Street, adjacent the Sarnia Yacht Club.

Dobson tried to claw himself onto the floe, which firefighters had been told to get on and ride to a point south of the Blue Water Bridge.

But by the time he realized he couldn't do it he was already being pinned by the floe, which had changed direction and was heading into shore instead of downriver, the court heard.

The ice was fracturing and upending Dobson, who said he could have been pushed beneath it.



Kendall, who was about eight feet away, was having the same difficulty.

Dobson said he saw Kendall trying to break the ice that was pushing against him, but his actions were getting slower as he became exhausted. The last Dobson saw of Kendall was his one hand above the ice.

Dobson said he yelled as he saw him go under but didn't know if anyone heard him.

"I was in a fright mode," Dobson said.

Kendall was pulled from the water further south. Another witness estimated he was under the water three to four minutes.

The facts of Kendall's death have not been disputed. The key issue has been who was supervising the training session.

The charges against Harrison state that as supervisor he failed to take precautions, including having adequate rescuers and rescue equipment available, as well as having an adequate training plan.

It has been uncontested evidence that at the time Kendall went under only Fire Chief MacKenzie and another firefighter were on the shore, but they had no rescue equipment such as the suits being worn by the firefighters in the water.

The rescue equipment was in a Point Edward fire truck in a parking lot.

The Ministry of Labour contends Harrison was the supervisor, but Harrison's lawyers have suggested MacKenzie was the supervisor.

Dobson said during the training he was directed by Harrison, not the chief. The ministry's case is expected to conclude Wednesday with testimony from two ice rescue trainers from the Ontario Fire College.

Eight days were reserved for the trial, which is now ahead of schedule. In March, the Village of Point Edward pled guilty to not taking reasonable precautions to protect a worker and was fined \$75,000. At the same time similar charges against MacKenzie were withdrawn.

### **Winter training on river unsafe, experts say**

<http://www.lfpress.com/news/london/2012/05/30/19818841.html>

May 30, 2012 NEIL BOWEN, QMI AGENCY

SARNIA - Winter rescue training in the St. Clair River is hazardous because of the river's current and large ice floes, two ice-rescue instructors told a trial dealing with the death of a Point Edward firefighter Wednesday.

Gordon Roesch, a former Ontario Fire College instructor, said appearance of large moving ice floes would prompt him to halt a training session because the unpredictability of such ice would create unsafe conditions.

A person could be run over by the floe, Roesch said.

Terry Harrison, a trainer contracted by the Point Edward firefighter to conduct a Jan. 30, 2010 course, has been charged under Occupational Health and Safety Act with failing to take reasonable precautions to protect a worker.

Point Edward volunteer firefighter Gary Kendall, 51, died after he was trapped under the ice during the training.

The St. Clair's current of six to eight knots (11-14 km/hour) make training unsafe and something he wouldn't do, said Bill Hammond, training supervisor for the Burlington Fire Department and a former Ontario Fire College instructor.

Harrison was one of the founders of the Ontario Fire College's ice-rescue training and instructed Hammond when he joined the college, Hammond said.

Asked by Justice Michael O'Dea how volunteer firefighters responsible for rescuing people in a swift current are supposed to train Hammond replied, "That's a tough question."

Both instructors said a safety officer trained and equipped for ice-rescue should be standing by during a training session.

Hammond said equipment like a boat that can reach trainees in an emergency should be available in case a rope couldn't be thrown to anyone needing help.

Roesch said a safety precaution for the river training could be posting rescuers along the river's edge with ropes.

However, tethering people in such swift moving water with ropes can become a hazard instead of a help, Roesch said.

A person tethered to a taut ice-covered rope can sink, he said. Both men said the instructor of such training has the responsibility for the safety of trainees, and would be required to submit a training plan for approval by the fire chief.

Testimony by the two instructors ended the Ministry of Labour's case.

Harrison's defence begins Thursday.

Ministry of Labour prosecutor David McCaskill said the trial, set for eight days, is ahead of schedule. Wednesday was the trial's third day.

**Sarnia Observer**

### **'This can't be happening'**

<http://www.lfpress.com/news/london/2012/05/30/19815371.html>

May 30, 2012 Neil Bowen, QMI Agency

SARNIA - Trainer Terry Harrison appeared to be in a state of disbelief when a Point Edward firefighter became trapped beneath the ice during a training exercise that resulted in the firefighter's death, a Sarnia court heard Tuesday.

Harrison, of Georgetown, Ont., is charged under the Occupational Health and Safety Act with failing to take reasonable precautions to protect a worker during the Jan. 30, 2010 exercise in the St. Clair River.

Firefighter Gary Kendall, 51, was trapped under the ice and died the following day in hospital after being pulled from the river with no vital signs.

Point Edward Fire Department Capt. David Dobson testified Tuesday he heard Harrison say, "No, no, this can't be happening."

Harrison, who had been in the water with the firefighters, was near Dobson after both men returned to shore.

Dobson saw Kendall slip out of sight as both men battled an ice floe pounding them as they tried to climb ashore.

Dobson was one of 18 firefighters who swam out to the moving ice floe in the river, where it meets Lake Huron.

Dobson tried to claw himself onto the floe, which firefighters had been told to get on and ride to a point south of the Blue Water Bridge.

But by the time he realized he couldn't do it, he was already being pinned by the floe, which had changed direction and was heading into shore instead of downriver, the court heard.

The ice was fracturing and upending Dobson, who said he could have been pushed beneath it.

Kendall, who was about eight feet away, was having the same difficulty. Dobson said he saw Kendall trying to break the ice that was pushing against him, but his actions were getting slower as he became exhausted.

The last Dobson saw of Kendall was his one hand above the ice.

Kendall was pulled from the water further south. Another witness estimated he was under the water three to four minutes.

The facts of Kendall's death have not been disputed. The key issue has been who was supervising the training session.

The charges against Harrison state that as supervisor, he failed to take precautions, including having adequate rescuers and rescue equipment available, as well as having an adequate training plan.

It has been uncontested evidence that at the time Kendall went under only Fire Chief MacKenzie and another firefighter were on the shore, but they had no rescue equipment such as the suits being worn by the firefighters in the water.

The rescue equipment was in a Point Edward fire truck in a parking lot.

The Ministry of Labour contends Harrison was the supervisor, but Harrison's lawyers have suggested MacKenzie was the supervisor.

Dobson said during the training he was directed by Harrison, not the chief.

## **Trainer acquitted in firefighter's death**

<http://www.theobserver.ca/2012/06/05/trainer-acquitted-in-firefighters-death>

June 5, 2012 By Neil Bowen, Sarnia Observer

An ice safety trainer has been acquitted of a charge under the Occupational Health and Safety Act in the 2010 death of a Point Edward firefighter. Justice Michael O'Dea acquitted Terry Harrison, of Georgetown, Tuesday following a six-day trial. Harrison was charged under the Occupational Health and Safety Act with failing as a supervisor to take reasonable precautions to protect a worker by having adequate rescuers and equipment available.

The evidence never reached proof beyond a reasonable doubt, said Justice Michael O'Dea. The judge had previously dismissed three other charges against Harrison.

Volunteer firefighter Gary Kendall, 51, was pulled under the ice for three or four minutes during a Jan. 30, 2010 training exercise. Witnesses said he was being hit in the back by floating ice with a pile of shore ice in front of him.

Kendall died in hospital the following day.

Recommendations from a coroner's inquest to prevent a similar death are needed, said Ministry of Labor prosecutor David McCaskill outside the courthouse.

More information regarding what happened Jan. 30 could also come from an inquest, said Harrison's defence lawyer Goldie Bassi. Harrison wants an inquest, but no decision has been made yet, said regional coroner Dr. Rick Mann Tuesday.

A key trial issue was whether Harrison was the supervisor in charge of safety for 18 firefighters who were in the frigid, swift-moving St. Clair River.

Point Edward Fire Chief Doug MacKenzie never gave up authority over the safety of firefighters, said O'Dea.

MacKenzie testified he was not the incident commander Jan. 30 and Harrison was instructing the firefighters. MacKenzie had been listed on a Point Edward Fire Department sheet, completed that day, as the incident commander.

Harrison had never been appointed as supervisor for the training, said Bassi during her final submissions to the court. It would send a dangerous message to determine safety authority can be contracted out, she said.

MacKenzie, like Harrison, had been charged with offences under the Occupational Health and Safety Act, but MacKenzie's charges were withdrawn in March.

On the same day in March, the Village of Point Edward pled guilty to failing to take precautions to protect a worker. It was fined \$75,000.

An employer always has the ultimate responsibility for worker safety, said McCaskill outside the courthouse, but that responsibility can be delegated. In his final submissions, McCaskill said Harrison had been in charge of the firefighters safety and had instructed them to swim to an ice floe.

The floe turned towards shore and pounded against Kendall and others. The floe was swallowing them up because there was nobody on shore to rescue them, said McCaskill.

O'Dea said commons sense dictates there needed to be somebody on shore watching the firefighters to see how they could get out if necessary.

There was nobody to help those who got in trouble because they were all floating downstream, said O'Dea.

An emotional O'Dea finished saying Kendall will be remembered as a man who was willing to forego his personal safety to protect others.

## **Trainer involved in accident that killed Point Edward firefighter is found innocent**

<http://www.lambtonshield.com/trainer-involved-in-accident-that-killed-point-edward-firefighter-is-found-innocent/>

By J.D. Booth June 7, 2012

The trainer who was involved in an exercise that resulted in the death of a Point Edward volunteer fighter more than two years ago has been found innocent of charges laid under the Occupational Health and Safety Act.

Terry Harrison of Georgetown, Ontario, was accused of failing to take reasonable precautions to protect a worker—51-year-old Gary Kendall—in the Jan. 30, 2010 exercise that resulted in Kendall's death.

Justice Michael O'Dea acquitted Harrison on Tuesday (June 5) after a six-day trial.

Point Edward Fire Chief Doug MacKenzie was found to have never given up supervisory authority in the exercise, a key reason for the acquittal.

Charges against MacKenzie were dropped in March. The village of Point Edward, charged with failing to take precautions to protect a worker, pled guilty to the charge and paid a \$75,000 fine.

Harrison through his legal representation has expressed a desire to have an inquest held into the incident, although no decision regarding that has been made.

A key determination in the trial was whether responsibility for a worker's safety could be delegated to someone such as Harrison. A total of 18 firefighters were involved in the exercise.

## **Investigation into Hanover river training fatal continues**

<http://www.owensoundsuntimes.com/2015/02/09/investigation-into-hanover-river-training-fatal-continues>

February 9, 2015 By Scott Dunn, Sun Times, Owen Sound

HANOVER - The owner of a company conducting cold water rescue training Sunday afternoon in Hanover, where a Durham College student became trapped under ice in the Saugeen River and died, was acquitted on health and safety act charges in another cold water training death five years ago.

Adam Brunt, 30, of Bowmanville died Sunday after becoming submerged beneath the ice in the fast-flowing Saugeen River. He was among a dozen firefighting program students in Hanover this weekend to take the training, Hanover Police Insp. Chris Knoll said Monday.



**West Grey police officers assist Hanover police near the water's edge by taking a video Monday documenting the spot where Adam Robert Brunt, 30, of Bowmanville, was trapped under ice for approximately 15 minutes during an ice water rescue training exercise in the Saugeen River the previous day before he was pronounced dead several hours later at the Hanover hospital. (Christine Bennett/QMI Agency)**

Herschel Rescue Training Systems was running the weekend cold water rescue training in Hanover, a Ministry of Labour spokesman said Monday. An investigator has attended the scene of the fatality. West Grey police photographed and videoed the scene for Hanover police Monday.

But it has yet to be determined whether the training location can be considered a workplace, giving the labour ministry authority over the incident, ministry spokesman William Lin said Monday.

Police are working with the Ministry of Labour and the Ontario Office of the Coroner. A post-mortem was scheduled to take place Monday morning at University Hospital in London, Ont. Knoll declined to reveal the cause of death without the coroner's permission.

Durham College said in a statement that Brunt was in a pre-service firefighter program and was supplementing class instruction as most fellow students do with external training from a Newmarket firm not affiliated with the college.

Brunt was training with eleven other students and one instructor at the time of the river mishap by the 7th Ave. Bridge, Hanover police said in a news release. One by one, each of the 13 people involved floated down through a channel of fast-flowing water on the partially frozen river in quick succession, Knoll said in an interview.



"And when the final person came through, they realized that one of the first people that did go through was missing," Knoll said. "So this all happened in a minute or two. It was very quick."

"They knew as soon as the exercise was complete that he was missing and that he was under the ice," Knoll said.

The firefighting program students were wearing water rescue gear and they assisted firefighters with the Hanover Fire Department with the rescue, Hanover Fire Chief Ken Roseborough said Monday. The fire department was not involved in the training exercise, he said.

It took about 15 minutes from the time of the call for firefighters to respond and free Brunt from the water. He was rushed to Hanover hospital, where emergency room staff worked on him for several hours before he was pronounced dead, Roseborough and police said.

Knoll declined to comment about the training company or the trainer Monday. "He's not necessarily facing any charges at this point. There has been no charges laid," he said. Police planned to return to the scene of the fatality to shoot video of it Monday afternoon, he said.

Knoll said police want to speak with anyone who witnessed the cold water training or rescue efforts. Police can be reached at 519-364-2411.

Terry Harrison identifies himself as a master instructor and owner of Herschel Rescue on his Facebook page. He has worked in Hanover before and has posted pictures of rope rescue training he did in Hanover last summer at Hanover's P & H mill. Reached by phone Monday about Sunday's training death, Harrison said "No comment right now, thanks."

Harrison was acquitted in 2012 on one charge under the Occupational Health and Safety Act in the 2010 death of Point Edward volunteer firefighter Gary Kendall. The 51-year-old was pulled under the ice for three or four minutes during a Jan. 30, 2010 training exercise, the Sarnia Observer reported during the trial.

Witnesses said he was being hit in the back by floating ice with a pile of shore ice in front of him. Kendall died in hospital the following day.

Justice Michael O'Dea acquitted Harrison on a health and safety act charge of failing as a supervisor to take reasonable precautions to protect a worker by having adequate rescuers and equipment available. O'Dea also dismissed three other charges against him by the end of the six-day trial.

A key trial issue was whether Harrison was the supervisor in charge of safety for 18 firefighters who were in the frigid, swift-moving St. Clair River, The Observer reported.

Point Edward Fire Chief Doug MacKenzie testified he was not the incident commander and that Harrison was instructing the firefighters. But O'Dea found the chief never gave up authority over the safety of firefighters.

O'Dea also said common sense dictates there needed to be somebody on shore watching the firefighters to see how they could get out if necessary. There was nobody to help those who got in trouble because they were all floating downstream, O'Dea said.

Charges against the fire chief were withdrawn, while the Village of Point Edward pleaded guilty to failing to take precautions to protect a worker and was fined \$75,000.

A Ministry of Labour prosecutor said right after the trial that coroner's inquest recommendations to prevent a similar death were needed. No inquest into Kendall's death was held, the coroner's office confirmed Monday.

## **Durham firefighters say 'real life' training essential**

<http://www.insidehalton.com/news-story/5332416-durham-firefighters-say-real-life-training-essential/>

Feb 10, 2015 By Jillian Follert DurhamRegion.com

### **Specialty training, such as exercise Durham College student Adam Brunt was doing, a popular way to gain an edge over competition**

DURHAM -- Competition for firefighting jobs is fierce these days, and everyone is looking for an edge.

Speciality training courses, like the one Durham College firefighting student Adam Brunt was taking when he died on Feb. 8, are a popular choice for students who want to beef up their resume.

"It's a very competitive field right now, it's very popular," says Oshawa Fire Chief Steve Meringer. "They're over subscribed at the college level, it's hard to even get in. If you want to be successful in the recruitment process, you have to build your resume accordingly."



**Steve Meringer**  
Oshawa Fire Chief Steve  
Meringer

Chief Meringer declined to comment on the specific training Mr. Brunt was taking, but says there are many private firms that teach courses such as rope rescue, confined space rescue and water and ice rescue.

Those techniques are not part of the basic firefighting skills taught in college programs such as the Durham College pre-service firefighter program Mr. Brunt was enrolled in.

The Oshawa chief says the very nature of the job means the training also has an element of danger.

For example, at this time of year, Oshawa Fire Services often conducts its own training out on the lake.

"We start training in a pool ... but then we move on to ice. You have to replicate that environment," he explains, noting that they are "very stringent" about safety.

Brent Pearce, Mr. Brunt's uncle and a Clarington firefighter for 16 years, says the 30-year-old Bowmanville man was training with a Newmarket-based firm called Herschel Rescue.

Terry Harrison, who identifies himself online as the main instructor and owner of the firm, could not be reached for comment.

This is not the first time a student has died while training with Mr. Harrison.

In 2010, a 51-year-old volunteer firefighter named Gary Kendall was trapped under ice for several minutes during a similar training exercise on the St. Clair River near Sarnia.

Mr. Harrison was acquitted in 2012 on a charge under the Occupational Health and Safety Act of failing to take reasonable precautions to protect a worker.

Richard Boyes, executive director of the Ontario Association of Fire Chiefs, says companies that provide specialized firefighter training are not regulated.

He stressed consumers need to do their "due diligence" when choosing a firm, including ensuring that trainers are qualified.

While training in a frigid river or with a real fire involves a degree of danger, Mr. Boyes says it is crucial for firefighters to experience realistic conditions so they will be prepared in an emergency.

"There ultimately comes a point where you have to be as close to real life as possible," he says.

## **Death of firefighter-in-training prompts calls for regulation of private safety companies**

<http://www.therecord.com/news-story/5334940-death-of-firefighter-in-training-prompts-calls-for-regulation-of-private-safety-companies/>

Feb 11, 2015 By [Paola Loriggio](#) Waterloo Region Record

TORONTO — The recent death of a firefighting student during an ice rescue exercise conducted by a private company in Ontario has prompted calls for the province's oversight of the safety training industry that is not regulated.

While the industry has established best practices for firefighter training, including preferred instructor-to-student ratios for high-risk exercises, there's nothing to force private companies to adopt them, fire officials said.

"Anybody could start teaching something tomorrow, and if somebody is willing to pay them the money and take the course, there's nothing that says that they can't do it — it's not necessarily safe and it's not necessarily protected," said Jeff Van Rybroeck, the fire chief in the southwestern Ontario municipality of South-West Oxford Township.

Fire departments who contract out specialty training know to do their due diligence, but firefighting students looking to flesh out their resumes might not be as savvy, he said in a phone interview.

"For a lot of these types of companies, they're almost preying on these pre-fire students because they know those students are willing to pay the money to take the training, and unfortunately they don't have the knowledge of who they should be going to for some of these things," he said.

"If there was some type of registration system or even an endorsement that these people would have to go out to, it would make the industry a lot safer."

The private safety training industry has come under scrutiny after a firefighting student died Sunday during a rescue exercise in Hanover, Ont. Adam Brunt, 30, was trapped under the ice for about 15 minutes, police said. He was one of 12 students taking part in the class, with one instructor, police said.

Police and the Ontario Ministry of Labour are investigating.

A ministry spokesman said the exercise was run by a Toronto-area company called Herschel Rescue Training Systems. A man named Terry Harrison identifies himself as the company's owner and master instructor, and as a Toronto-area firefighter, on his LinkedIn profile.

A man by the same name was acquitted after being charged in 2010 under the Occupational Health and Safety Act in the death of a volunteer firefighter,

Gary Kendall, who died during a similar ice water rescue exercise near Sarnia, Ont., according to media reports. A judge ruled he had not officially been designated as incident commander for the exercise, the media reports said. The municipality of Point Edward was fined \$75,000, while charges against its fire chief were dropped.

Neither Harrison nor the company responded to a request for comment. The Ministry of Labour would not say whether the same man was involved in both incidents, but several industry insiders confirmed that was the case.

A post on the company's Facebook page lists last weekend's training course in Hanover as costing \$400 including accommodations. Another post advertises a five-day rope rescue class in Brampton at the end of the month for \$500.

Brunt's father, Al Brunt, said his son signed up for the ice rescue course "because he wanted to have it on his resume" as he sought work in a highly competitive field.

In Ontario, firefighting programs are offered through colleges and other accredited institutions. The Ontario Fire College, which is run by the office of the fire marshal, provides ongoing training for active firefighters.

Private companies are "market-driven," and set up courses based on perceived demand, said Richard Boyes, executive director of the Ontario Association of Fire Chiefs.

Many would-be firefighters believe taking additional training will give them a leg up on their rivals, Boyes said.

"Firefighting is a highly sought after position so that's what makes the candidates try to get any advantage they can," he said.

However, fire chiefs across Canada are looking for basic skills first and foremost, he said, pointing to the standards and best practices established by the National Fire Protection Association, an international non-profit organization for the firefighting industry.

Fire departments generally prefer to arrange their own specialty training — such as ice rescues or dealing with hazardous materials — for fire crews, either in house or through a third-party provider, he said.

Van Rybroeck, a former training officer, said measures are needed to ensure those taking safety courses aren't putting themselves at risk.

"No one should ever die from a training incident," he said.

"Training should be protected, it should provide safety for the students, it should provide a safe environment where they can learn and become proficient at their skills. It should never be something where they're faced with danger and they have to fear for their life."

**The Canadian Press**

## **Editor's blog**

<http://www.cdnfirefighter.com/editors-blog/editors-blog-20478>

February 11, 2015 Written by Laura King

Feb. 11, 2015, Toronto – Out of respect for the family of Adam Brunt, the Durham College student who died during ice-water rescue training in Hanover on Sunday, I waited a couple of days to say out loud what everyone else is thinking: How many students have to die in Ontario before the training industry is regulated, and simple standards – such as teacher-student ratios, safety briefings, safety plans, safety officers and rapid intervention teams – become mandatory?

It seems we've had this conversation before – about the acceptable number of deaths of seniors in retirement homes – and we all know the Herculean effort required to convince government to make sprinklers mandatory.

But training companies are different; they are not regulated – by any agency or any government department. Not the Office of the Ontario Fire Marshal and Emergency Management (OFMEM), not the Ministry of Training, Colleges and Universities, and, in this case, perhaps not even the Ministry of Labour (which is investigating), given that there was no employer/employee relationship between the training provider and the students.

By now you've read that the company that offered the program in Hanover, Herschel Rescue Training Systems, is the same one that provided the ice-water rescue course in Point Edward, Ont., in 2010, when firefighter Gary Kendall became trapped under ice for four minutes, and died. The ratio? One instructor to 18 students.

Herschel owner/operator Terry Harrison was charged under the Occupational Health and Safety Act (OHSA). In that case, the act applied because Harrison had been brought in by the fire department, which was the employer. The judge determined that the fire chief had not technically handed over authority to Harrison that day, and therefore Harrison was not the supervisor, so the charges were dismissed. The town paid a \$75,000 fine for failing to ensure the safety of its workers, and that was that.

Sunday's training program in Hanover was different, an open course, advertised on Herschel's Facebook page – one instructor and 12 students, according to police – offered to individuals like Brunt, who enrolled in the session to add to his resume, hoping it would help him get hired.

Which I find interesting. Not a single fire department in Ontario – that I’m aware of – lists ice-water rescue among its minimum requirements for hiring. Conventional wisdom used to be that the more courses a firefighter candidate listed on a resume, the better the chance of employment. And out of that conventional wisdom sprung myriad training companies – many run by career firefighters who work shifts and have the time to devote to a second job – offering courses in everything from ice-water rescue to auto extrication.

Particularly now, with standardized firefighter candidate testing in Ontario, those courses aren’t necessary to get hired, and prospective firefighters need not spend money taking them.

That message, however, hasn’t filtered down to firefighter candidates, who still clamour to enroll in courses to build their CVs. As one former fire chief told me yesterday, all that mattered when he was hiring was that candidates had NFPA Firefighter I and II, did a great interview, and were the right fit for the department.

“If I want them to have ice-water rescue or any other course,” he said, “I’ll put them through the program because I want them to be taught to do it our way.”

So, what’s the recourse? Well, if social media is a barometer of public opinion, the outrage over Brunt’s tragic and preventable death should mean immediate changes. But we all know that’s unlikely. Who, or what agency or organization, would champion that change?

Well, given that that there have been two training deaths, in similar circumstances, in five years, and given that fire fighting and all its offshoots are inherently dangerous, it follows that realistic training for such pursuits is also inherently dangerous and, like fire fighting, requires regulatory control.

Therefore, it logically falls to the agencies that have the ability to enact regulations – the OFMEM, the Ministry of Colleges, Universities and Training, or the Ministry of Labour – to take the proverbial bull by the horns, develop guidelines, and ensure that training for any aspect of fire fighting be done as safely as possible, no matter who provides it.

And while organizations such as the Ontario Association of Fire Chiefs, the training officers association, the union (which has the most political clout), and the volunteer firefighters association have no regulatory authority, it would be shameful for them *not* to advocate for such change.

To start, fire-service leaders can petition politicians for an inquest into Brunt’s death. (There were calls for an inquest into Kendall’s death but none was ever held.) Inquests produce recommendations, which, while not



binding, can – at the very least – draw mainstream media attention to an issue and may potentially lead to legislation.

Another option is to press Ontario's fire-services advisory committee for OH&S, and the NFPA, to develop guidelines for training similar to those for live fire or technical rescue, and which would be applicable to third-party trainers.

There must be other options, and people far smarter than me and more connected to training and rules and standards and guidelines might have better ideas. If you do, speak up. Gary Kendall and Adam Brunt need you to be their champion.

## **Family relives painful time after icy death of firefighter**

<http://london.ctvnews.ca/family-relives-painful-time-after-icy-death-of-firefighter-1.2238869>

February 16, 2015 CTV London

A Lambton County family is shocked and angered that another person has died in a cold water training exercise for firefighters.

Five years ago, Gary Kendall of Point Edward died after being trapped under the icy water in Lake Huron during a training exercise.

On Feb. 8, Adam Brunt also died in Hanover after becoming trapped under ice in the Saugeen River.

For Myrissa Kendall, last weekend's death brings back painful memories. She rushed home from school on the East Coast to try to see her father before he died in hospital.

"About five minutes outside of Sarnia, I was pulled over and told they couldn't keep my dad alive any longer and that we were going to go to the house and not the hospital."

Firefighters from across the country and the U.S. attended Gary Kendall's funeral.

For the Kendall family, the support was overwhelming.

From that day on Myrissa Kendall and her family vowed to do everything they could to prevent another tragedy from occurring.

They are upset that Adam Brunt, of Bowmanville, recently lost his life. The 30-year-old firefighting student died while training with a Newmarket-based company.

It's believed to be the same company whose operator was charged, but later acquitted, in relation to Kendall's death.

After his death, no regulations were placed on small private operators of firefighting training courses.

Myrissa Kendall thought, after court appearances and a call for a coroner's inquest, the government would have taken action.

"All I have ever said, is, 'I don't want this to happen again.' It shouldn't have happened the first time. It doesn't need to happen a second, and unfortunately now it's happened a second."

She plans to reach out to Brunt's family. She also hopes the public will start asking questions after two men have now died.

"My dad was a fantastic man, who'd always said, 'Look for the greater lesson.' Unfortunately that was not done this time and someone else has had to relive what we've gone through."

## **Questions remain unanswered five years after Point Edward firefighter's death, says daughter**

<http://www.theobserver.ca/2015/03/12/questions-remain-unanswered-five-years-after-point-edward-firefighters-death-says-daughter>

March 12, 2015 By [Barbara Simpson](#), Sarnia Observer

The family of fallen Point Edward firefighter Gary Kendall has taken their push for changes to the private sector safety training industry to Queen's Park.

Members of the Kendall family called at a Toronto press conference Thursday for both an inquest into the volunteer firefighter's death and for the private sector safety training industry to be regulated.

Kendall died as the result of a fire training exercise provided by Herschel Rescue Training Systems on the St. Clair River in January 2010.

Close to the five-year anniversary of Kendall's death, Durham College fire student Adam Brunt also died in an ice water training exercise provided by the same trainer.

"We always felt and a lot of people always said, 'This shouldn't have happened the first time,' so if it did, why weren't things put in place to prevent it from happening a second time?" daughter Myrissa Kendall said Thursday afternoon.

"It's now taken a second death to get questions from the first one answered and for things to start rolling to get change, so this never happens again." She couldn't attend Thursday's press conference, but her mother Brenda and her uncle Paul Kendall went to support the efforts of Oshawa NDP MPP Jennifer French.

She has joined both the Kendall and Brunt families in their united call for the province to address the surprisingly unregulated private sector safety training industry.

"It doesn't really make sense, but now that we've identified there's a group in limbo, it has to be changed because it did happen five years ago and in unbelievably similar circumstances again five years later and we can't be here in another five years having this same conversation," French said after the press conference Thursday.

The Ontario government has recently announced it will look into regulation of the industry, but it still hasn't committed to an inquest into Kendall's death. A Ministry of Labour prosecutor called for an inquest following the 2012 trial involving Kendall's death.

Herschel owner and trainer Terry Harrison told The Observer Thursday he is supportive of an inquest to make training and real-life firefighting responses "better, safer and efficient."

But he has questions about any regulations, particularly where the funding would come to better research training methods and purchase equipment for all types of rescue.

"A bigger concern is that nature is our obstacle and it is unmanageable with natural disasters happening more often around the country and the world," he wrote in a message.

"How do we prepare our rescue personnel to handle them? Safety is mine and everyone's concern and obligation, but where is the balance between training and being prepared for these possible emergencies?"

When asked whether he has implemented any additional safety measures since Kendall's death, Harrison wrote that he has increased the level of swimming proficiency required to take part in his training.

"I still believe that individual swimming and self-rescue is the best and most attainable way to increase safety measures," he wrote. "I am the only training company that requires a swim test."

Myrisa Kendall said her father was a fantastic swimmer.

"This had nothing to do with his swimming ability," she said. "It had to do with the fact that there was so many men in water and not enough trainers.

"There are questions like: Why weren't they tethered together? Why didn't they have ice picks? Why are you in a dangerous situation for a training exercise?"

Harrison was charged in connection to Kendall's death under the Occupational Health and Safety Act, but three of those four charges ended up being dismissed.

He was eventually acquitted of his remaining charge following a six-day trial. French has written an open letter to Community Safety Minister Yasir Naqvi calling for changes on behalf of both the Kendall and Brunt families.

"After my dad's death, that was the one thing we all said, 'We want things to change,' so this doesn't happen again," Myrisa Kendall said. "Unfortunately nothing changed and now we're dealing with a second death."

## **Bowmanville family who lost son, Adam Brunt, in firefighting training accident wants answers at Queen's Park**

<http://www.durhamregion.com/news-story/5473789-bowmanville-family-who-lost-son-adam-brunt-in-firefighting-training-accident-wants-answers-at-que/>

Mar 12, 2015 By Reka Szekely DurhamRegion.com

### ***Ministry of Colleges, Training and Universities to review act governing private career colleges***

TORONTO -- The family of a Bowmanville firefighting student who died during a cold-water rescue exercise is calling for a coroner's inquest into his death and changes to the rules governing private colleges that conduct safety training.

At Queen's Park, Oshawa NDP MPP Jennifer French held a press conference with the family of Adam Brunt,



**Adam Brunt and Jenna McNamee**  
Twitter photo by @corenатуropath  
**Jenna McNamee posted this photo and tweet about her boyfriend Adam Brunt: #RIPAdam My sweet boyfriend and soul mate. You are already so dearly missed. I love you now and forever <3 xoxo**

30, who died on Feb. 8 while participating in training exercises conducted by Herschel Rescue Training Systems in Hanover, Ontario. Ms. French and the Brunts were joined by Wes Mazur, a family friend of Gary Kendall of Point Edward. Mr. Kendall was a volunteer firefighter who died while participating in the same type of training with the same private company in 2010.

Both families are looking not only for answers as to how the tragedy could occur twice but also to the Province for better regulation of private companies that conduct safety training.

Adam Brunt's father Al Brunt said his son was the type of person who always wanted to help others, and would give them the shirt off his back. "He would want to protect the next person ... so we're going to take on that battle."

Adam's mother Christy Brunt, sister Ashlee Brunt and girlfriend Jenna McNamee were also there to support Mr. Brunt, who battled tears as he spoke of his son.

Ms. French said the Liberal government announced on Wednesday it would look into the issue and said she was encouraged the government saw a need.

"What we would hope is the families and Ontarians see action so we're not here in five years again," she said.

Reza Moridi, the minister of colleges, training and universities, issued a statement saying the Ministry would begin a review of the Private Career Colleges Act and propose options to improve safety for students participating in programs that carry risk.

"I was very saddened by this incident and our thoughts continue to be with Adam Brunt's family and friends during this difficult time," he said. "After incidents like this, it is important to take a hard look at any potential improvements that could help prevent future accidents in programs that are currently exempt from regulatory oversight under the Private Career Colleges Act, like single-skill firefighting courses."

Mr. Mazur said the issue is just as important now as it was when Mr. Kendall died in 2010.

"If an inquest had been called, safety measures could have been put into place in order to keep lives safe while participating in ice water rescue training."

He had a number of questions, including why there are no minimum qualifications for ice water rescue trainers, why there aren't mandatory

hazard assessments and he wanted to know whether the conditions that make ice water training dangerous are evaluated throughout the training exercise.

Brenda Kendall, Mr. Kendall's widow, was shocked and devastated when she heard of Mr. Brunt's death.

"I absolutely broke down and cried all day," she said. "I could not believe it was allowed to happen again."

Carmen Santoro, president of the Ontario Professional Firefighters Association, expressed his condolences to the families and said they deserved answers.

He pointed out that frontline firefighters accept risks in their daily jobs.

"No one should expect or accept any risks or danger while training."

Young firefighters sign up for the programs to get a leg up on the competition.

"It's very competitive to become a firefighter and these students are doing as much training as they can to prepare themselves to be a full-time firefighter," said Mr. Santoro.

Mr. Brunt and Ashlee Brunt describe Adam as someone who loved the outdoors and animals and was very active. Although he dipped his toes into other careers, Ashlee Brunt said firefighting was always at the back of his mind.

"We knew this was his passion," said Mr. Brunt.

Advocating for an inquiry and changes to safety training regulations is a tough task for the family.

"It's difficult to just keep reliving it over and over again," said Ashlee Brunt.

"We've had great family and friend support and we're going to continue on to make sure this happens," said Mr. Brunt. "It's important."

## **Families of two men killed in firefighter training exercises demand inquests**

<https://www.thestar.com/news/canada/2015/03/12/families-of-two-men-killed-in-firefighter-training-exercises-demand-inquests.html>

March 12, 2015 By PAOLA LORIGGIOThe Canadian Press

Relatives of two Ontario men who died in firefighter training exercises run by a private company are calling for coroner's inquests into the deaths as well as government oversight of the industry.

Al Brunt said his son, Adam, [a firefighting student who died in an ice training exercise](#) in Hanover last month, would have wanted to make sure what happened to him never occurs again.

"He would want to protect the next person," Brunt said. "We're going to take on that battle."

Adam Brunt's death on Feb. 8 came five years after a similar incident near Sarnia claimed the life of Gary Kendall, a volunteer firefighter.

No coroner's inquest was held in Kendall's death but the municipality of [Point Edward was fined \\$75,000](#) under the Occupational Health and Safety Act. Brunt [joined Jennifer French, a NDP New Democrat member of the provincial legislature](#), on Thursday in calling for the inquests. They are also pushing for the province to regulate private sector companies that provide highly technical and potentially dangerous safety courses to firefighters and other first responders. Members of the Kendall family were present but a friend spoke on their behalf.

The courses aren't mandatory and the companies aren't required to follow best practices established for firefighters.

Many firefighting students — including Adam Brunt, according to his father — sign up for the additional training because they believe it will make them more competitive in the job hunt.

The Ministry of Training, Colleges and Universities said Wednesday it would look into regulating the private safety training industry in the wake of the fatal incidents. The ministry said it will review the Private Career Colleges Act, which regulates vocational training, and will come up with a list of recommendations by the fall.

It's important to find out exactly what went wrong in order to prevent future fatalities, Al Brunt said. "If you're going to build regulations around it, you need to understand the details and the background."

Coroner's inquests could help set out standards for instructor-to-student ratios, safety plans and other aspects of privately run training, he said.

French said she's encouraged by the government's announcement but wants to ensure the necessary changes are brought in quickly. "The first of these deaths occurred more than five years ago."

The Ministry of Labour is investigating Brunt's death.



The course he took was run by Herschel Rescue Training Systems, a Toronto-area company whose owner and master instructor was acquitted after being charged under the Occupational Health and Safety Act in Kendall's death.

## **Inquest demanded by families of two men killed in firefighter training exercises**

<http://globalnews.ca/news/1878375/inquest-demanded-by-families-of-two-men-killed-in-firefighter-training-exercises/>

March 12, 2015 By Staff The Canadian Press

TORONTO – Relatives of two Ontario men who died in separate firefighter training exercises offered by a private company say they want coroner's inquests into the deaths to ensure the tragedies aren't repeated.

Gary Kendall, a volunteer firefighter, died in an ice rescue exercise near Sarnia in 2010 while a similar incident claimed the life of firefighting student Adam Brunt last month in Hanover.

Brunt's father, Al Brunt, says it's important to find out exactly what went wrong to prevent it from ever happening again.

He joined a New Democrat MPP in pushing for the province to regulate private sector companies that provide specialized safety courses to firefighters and other first responders.

Members of the Kendall family were also present but a friend spoke on their behalf.

The courses aren't mandatory and the companies aren't required to follow best practices established for firefighters.

The Ministry of Training, Colleges and Universities said Wednesday it would look into regulating the private safety training industry in the wake of the fatal incidents.

The ministry says it will review the Private Career Colleges Act, which regulates vocational training, and will come up with a list of recommendations by the fall.

Al Brunt says he's encouraged by the announcement and hopes it leads to concrete changes.

## **Ontario looks to regulate private safety courses after firefighter training death**

<http://globalnews.ca/news/1878236/ontario-looks-to-regulate-private-safety-courses-after-firefighter-training-death/>

March 12, 2015 By Staff The Canadian Press

TORONTO – The Ontario government says it will look into regulating companies that provide safety courses to firefighters and other first responders following the death of a firefighting student during a training exercise last month.

The companies, which offer non-mandatory specialized courses such as ice or rope rescue, aren't currently under government oversight, nor are they required to follow best practices established for firefighters.

The Ministry of Training, Colleges and Universities says it is now reviewing the Private Career Colleges Act, which regulates vocational training, and plans to propose amendments this fall to include private safety courses.

The industry has been under scrutiny since the Feb. 8 incident that claimed Adam Brunt's life.

Some, including an Ontario fire chief and a New Democrat MPP, have called for government regulation to help ensure those taking such courses aren't putting themselves unnecessarily at risk.

Police said Brunt, 30, was trapped under the ice during a rescue exercise in Hanover, Ont.

His father has said Brunt took the course in the hopes it would help him find a job once he completed his firefighting program.

The Ministry of Labour is investigating.

"I was very saddened by this incident and our thoughts continue to be with Adam Brunt's family and friends during this difficult time," Reza Moridi, the minister of training, said in a statement.

"After incidents like this, it is important to take a hard look at any potential improvements that could help prevent future accidents in programs that are currently exempt from regulatory oversight under the Private Career Colleges Act, like single-skill firefighting courses."

The course Brunt took was run by Herschel Rescue Training Systems, a Toronto-area company whose owner and master instructor was acquitted after being charged under the Occupational Health and Safety Act in the training death of a volunteer firefighter near Sarnia, Ont., in 2010.

Court documents show a judge ruled Terry Harrison had not officially been designated as incident commander for the exercise, and thus could not be held responsible for the firefighters' safety.

Harrison has said he was invited to take part in the 2010 exercise but was not hired to lead it.

He has also called for coroners' inquests in both fatal incidents and said there should be a review of current rules to make sure rescue workers get the education they need.

## **Coroner's inquest will look into the deaths of Gary Kendall and Adam Brunt**

<http://www.theobserver.ca/2016/06/02/coroners-inquest-will-look-into-the-deaths-of-gary-kendall-and-adam-brunt>

June 2, 2016 By Tyler Kula, Sarnia Observer

More than six years after a Point Edward firefighter died training on ice in the St. Clair River, a coroner's inquest into his death is being held.

Thursday the provincial coroner's office announced 51-year-old Gary Kendall's Jan. 31, 2010 death, and the Feb. 8, 2015 death of Durham College fire student Adam Brunt, 30 – who died during ice-water training in the Saugeen River in Hanover – will be the subject of an inquest.

Both training sessions were provided by Herschel Rescue Training Systems.



The inquest, said Dr. Rick Mann, regional supervising coroner for the West Region, London office, will see a jury determine the cause and manner of death of both men, based on information from the coroner's office.

The jury may make recommendations aimed at preventing similar deaths, he said.

"The recommendations that they may make may be regarding regulation or some other avenues or things related to training and things of that nature," he said.

The exact scope of the inquest, and where and when it will be held, have not been determined, he said.

But the mere fact there will be an inquest comes as a relief, said Myrissa Kendall, Gary's daughter. Her family has been publicly pushing for an inquest and for regulation of how private companies conduct fire training.

"It shouldn't have happened the first time. It did. It happened the second time; it shouldn't have happened," she said.

"There's a reason. This needs to stop."

As a result of Gary Kendall's death, Herschel owner and trainer Terry Harrison faced charges under the Occupational Health and Safety Act (OHSA). He was initially charged with four offences related to failing to take reasonable precautions to protect a worker.

A judge later dismissed three of those four charges, with Harrison eventually being acquitted of the remaining charge following a six-day trial.

Point Edward Fire Chief Doug MacKenzie and the Village of Point Edward were also charged, and the village pleaded guilty to failing to take precautions to protect a worker. It was fined \$75,000 and charges against MacKenzie were withdrawn.

No charges were laid in Brunt's death.

Hopes are results from the inquest leads legislators to regulate the private training industry, Myrissa Kendall said.

"Just because one person says they know how to do it, doesn't mean they actually know how to do it," she said. "There needs to be governing bodies. That's what we want."

A Ministry of Labour prosecutor called for a coroner's inquest following the trial into Kendall's death, in order to provide recommendations to prevent a similar tragedy. No inquest was ever held.

Asked why this inquest is being held, Mann said it's based on a number of factors, including "whether a jury of individuals who hear evidence regarding the events surrounding a death would be able to make recommendations that may be able to prevent deaths in similar circumstances."

Asked if Kendall's family's push for an inquest was a reason, he said, "Certainly families can receive the reports that are generated at a coroner's investigation and the family certainly can ask for an inquest."

-- With files from Postmedia Network

## **Christie Blatchford: Why no standards for rescue training**

<http://news.nationalpost.com/full-comment/christie-blatchford-why-no-standards-for-rescue-training>

June 6, 2016 CHRISTIE BLATCHFORD

The announcement last week from the Ontario coroner's office of a coming inquest into two deaths got scant attention.

Yet the deaths — of firefighting student Adam Brunt in Hanover, Ont., last year and volunteer firefighter Gary Kendall in Point Edward, Ont., in 2010 — underscore the astonishing lack of regulation that exists across the dangerous profession.

Brunt and Kendall both died during what's called cold-water rescue training, with the 30-year-old Brunt perishing after being trapped under ice in the fast-flowing Saugeen River, and Kendall, 51, pulled under shore ice in the St. Clair River. He died in hospital the following day.

Both men were being trained by the same private company, Herschel Rescue Training Systems, owned by Brampton firefighter Terry Harrison.

In 2012, Harrison was acquitted by Ontario Court Judge Michael O'Dea on an occupational health and safety charge in connection with Kendall's death, in some significant measure because the judge found that the Point Edward fire chief was technically still in charge.

A similar charge against the chief was dropped, with the municipality, which is near Sarnia, pleading guilty to failing to take precautions to protect a worker and being fined \$75,000.

But in fact, Ontario Professional Fire Fighters Association (OPFFA) president Carmen Santoro told Postmedia in a phone interview Monday, rescue training "is that kind of ramshackle industry," with virtually anyone able to hang out a shingle and even those who are properly qualified not held to any recognized standard.

And getting a job with a fire service is desperately competitive, Santoro said, with students such as Brunt (who was a firefighting student at Durham College, which wasn't affiliated with the rescue training company) keen to get an edge on the hiring ladder by padding their resumés with such weekend courses.

We're the only first responders without a set of standards

"We're the only first responders without a set of standards," Santoro said. "We need standards, standards in training, standards in fire prevention ... We accept risk as first responders, but in a training evolution?"

"Training should be regulated, safe, and you should walk away alive."

The problem isn't confined to firefighter training, either.

Another recent coroner's inquest, which this spring examined two fires that killed a total of seven people, heard that there are no mandatory provincial training standards for emergency call dispatchers, whose advice to panicked callers can be critical; fire prevention inspectors (one of whom, in one of the fires, appears to have misinterpreted the Ontario Fire Code); or public education programs.

Police and ambulance services, by contrast, have mandatory standards in comparable areas.

A key recommendation from the fire inquest jury was that Ontario's community safety and correctional services ministry "make a regulation ... requiring mandatory certification and training to recognized industry standards for all personnel whose primary job function is to perform fire inspections, public education and/or communications."

A government can do that, if not quite with the stroke of a pen, then with reasonable ease — as Community Safety Minister Yasir Naqvi and his staff are now doing with police services by undertaking a modernization of the Police Services Act.

This spring, for instance, the government passed a controversial regulation banning police from carding, or conducting street checks.

If the Police Services Act dates back to 1990, its fire service equivalent, the Fire Protection and Prevention Act of 1997, is only marginally less archaic.

**We just want minimum standards. If you and I are both shocked, imagine how the families (of Brunt and Kendall) felt, to learn that there isn't even a regulation**

When Brunt died, Santoro said, he appeared with the young man's broken family and Oshawa NDP MPP Jennifer French at a Queen's Park press conference to push for the inquest. He also attended several days of the recent inquest into the fires.

"It's just so frustrating," Santoro said. "At the fire inquest, I just felt like screaming: 'We need standards; it's dangerous!'"

He said that while he hopes the rescue death inquest — no date has been scheduled yet — may result in recommendations to stop the proliferation of unregulated companies offering training, in the interim, fire chiefs and services should stop "accepting those little padded resumés" from eager students.

Ice or cold-water rescue training isn't even required by most fire departments.

"We're not asking for the moon," Santoro said. "We just want minimum standards. If you and I are both shocked, imagine how the families (of Brunt and Kendall) felt, to learn that there isn't even a regulation.