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**REPORT INTO THE  
FATAL INCIDENT  
OFF INISHOWEN HEAD,  
CO. DONEGAL  
ON  
28th JUNE 2014**

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**REPORT NO. MCIB/238  
(No.6 OF 2015)**



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	<b>PAGE</b>
<b>1. SUMMARY</b>	<b>4</b>
<b>2. FACTUAL INFORMATION</b>	<b>5</b>
<b>3. NARRATIVE</b>	<b>7</b>
<b>4. ANALYSIS</b>	<b>12</b>
<b>5. CONCLUSIONS</b>	<b>13</b>
<b>6. SAFETY RECOMMENDATIONS</b>	<b>14</b>
<b>7. APPENDICES</b>	<b>15</b>
<b>8. CORRESPONDENCE RECEIVED</b>	<b>27</b>

## 1. SUMMARY

- 1.1 On the 28th June 2014, a vessel departed from Portleen Pier, Glengad, Co. Donegal bound for Kinnagoe Head, to engage in lobster potting. The vessel was observed departing at approximately 04.45 hrs (UTC) by a witness. At approximately 09.45 hrs, the owner of the vessel was found floating in the water on the northern side of Kinnagoe Head. The emergency services were alerted and attended the scene. The casualty was transferred to an Irish Coast Guard Rigid Inflatable Boat (RIB) and brought to Greencastle, Co. Donegal, where the casualty was pronounced dead. The vessel was recovered by a local sub-aqua club and brought to Bunagee Pier. It was placed on a trailer and transferred to land beside the owner's home.
- 1.2 At the time of the alert, the vessel was named as the "*MFV Lively Lady*" (SO306), based on the finding of that vessel's EPIRB at the scene.

## 2. FACTUAL INFORMATION

- 2.1 The vessel that foundered was of Glassfibre Reinforced Plastic construction (GRP) and was powered by an inboard diesel engine. The age of the vessel has not been established. It was purchased in Northern Ireland in or around 2000. The vessel was fitted out by its owner in 2013 and converted for use in lobster potting. The owner of the vessel had another vessel, of timber construction and powered by an outboard motor, which had been inspected under the Code of Practice for the Design, Construction, Equipment and Operation of Small Fishing Vessels of less than 15 metres (m) overall and was licensed to fish.

### Principal Particulars

Name:	Unknown.
Port of Registry:	Not registered.
Fishing Number:	Not assigned.
Internal Number:	Not assigned.
Type of vessel:	Original construction was as a lake boat.
Construction:	GRP, simulated clinker style.
Length Overall:	5.18 m.
Breadth:	1.98 m.
Depth:	0.61 m.
Freeboard:	0.13 m.
Gross Tonnage:	Not assigned.
Engine:	BUKH 3 cylinder inboard diesel, raw water cooled.
Owner:	The deceased.

### 2.2 Voyage particulars

(Note all times are in UTC and local time is UTC + 1 hour)

- 2.2.1 The vessel was seen departing from Bunagee Pier at 04.45 hrs by another vessel owner.
- 2.2.2 The vessel was heading to Kinnagoe Head to check the lobster pots deployed in that area.
- 2.2.3 At approximately 09.45 hrs a witness vessel approached Kinnagoe Head to check its lobster pots. The Skipper noted debris in the water, small floats, a paint pot, an EPIRB and then the owner of the vessel.

## 2.3 Type of Casualty

- 2.3.1 The vessel foundered close against a rock north of Kinnagoe Head. The casualty position was identified by the Irish Coast Guard as 55° 16.0' N 007° 00' W. This is regarded as a serious casualty.
- 2.3.2 The owner of the vessel was found floating face down in the water, wearing his Personal Floatation Device (PFD). His PFD was inflated. The post mortem report indicated that cause of death was drowning.
- 2.3.3 An EPIRB registered to another vessel belonging to the casualty was floating in the water nearby, but had not been activated.
- 2.3.4 No other lifesaving appliances were recorded as being recovered from the scene.
- 2.3.5 The casualty failed to respond to CPR at the scene.

## 2.4 Shore Response

- 2.4.1 MRCC Malin Head was notified of the incident at 09.46 hrs.
- 2.4.2 At 09.47 hrs the Greencastle Coast Guard boat, and the Sligo based Irish Coast Guard helicopter R118 were tasked.
- 2.4.3 At 09.49 hrs the Portrush lifeboat was tasked.
- 2.4.4 A "MAYDAY RELAY" was issued at 09.50 hrs.
- 2.4.5 At 09.56 hrs, a witness vessel notified Malin MRCC that they had found a person in the water and that he was not responding.
- 2.4.6 The Greencastle Coast Guard boat was on scene at 10.12 hrs. At 10.17 hrs, the Portrush all weather boat was on scene. At 10.38 hrs, Irish Coast Guard helicopter R118 was on scene.

### 3. NARRATIVE

- 3.1 In June 2011, a vessel had been inspected and following that inspection a Declaration of Compliance for the Design, Construction and Equipment of Small Fishing Vessels of less than 15 m length overall under the Code of Practice was issued to the deceased. Such a Declaration is a requirement to obtain a sea-fishing licence and it is understood that this was used to obtain a fishing licence. This vessel was found lying on a plot of land across the road from the deceased's residence.
- 3.2 On 28th June 2014, a vessel reportedly named "*MFV Lively Lady*" was observed departing from Bunagee Pier at 04.45 hrs by the Skipper of another vessel. This vessel left the pier at 05.10 hrs and tended pots in another area before proceeding to Kinnagoe Head.
- 3.3 The weather forecasts issued by Met Éireann for the period show:
- |                     |   |
|---------------------|---|
| 00.00 to 06.00 hrs: | Winds light to moderate, Force 2 to 4 from an easterly direction, between SE and NE.  |
| 06.00 to 12.00 hrs: | Winds light to moderate, Force 2 to 4, from an easterly direction, between SE and NE (see Appendix 7.1 Met Éireann Weather Report). |
- 3.4 The actual weather as recorded by Malin Head automatic station was examined and the following wind conditions were noted:
- |            |                         |
|------------|-------------------------|
| 07.00 hrs: | Wind 8 knots from 090 T |
| 08.00 hrs: | Wind 8 knots from 080 T |
| 09.00 hrs: | Wind 8 knots from 100 T |
| 10.00 hrs: | Calm                    |
- (See Appendix 7.2 Details of weather as recorded by Malin Head automatic station).
- 3.5 At 09.46 hrs, the Skipper of a witness vessel notified the coast radio station at Malin Head that he had found debris in the water, to the north of the headland. As he proceeded into the small inlet he came across an EPIRB floating in the water. At 09.56 hrs he found the deceased floating face down in the water with his PFD inflated (see Appendix 7.3 Chartlet of area of incident).
- 3.6 Later on the same date, divers found the wreck. The vessel was found close against a rock with the bow up and the stern down. The vessel found was built of GRP and powered by an inboard diesel engine.

- 3.7 The divers recorded the vessel on the seabed on video cameras and provided the MCIB with copies. They also took some still photographs which were also forwarded to the MCIB (see Appendix 7.4 Photographs).
- 3.8 The photographs show that the vessel had a rope wrapped around the propeller.
- 3.9 The divers reported that a line from the propeller led directly to a lobster pot that was trapped between two rocks (see Appendix 7.4 Photographs No.1 & 2).
- 3.10 The vessel was raised on 29th June 2014, under the observation of the Irish Coast Guard, Greencastle Station. Once raised, the vessel was beached, nearby Kinnagoe Bay, to allow for water inside it to be pumped out. The vessel was then towed to Bunagee Pier and lifted from the water and placed on a trailer.
- 3.11 The vessel was brought to the deceased's home village of Glengad and stored. The vessel was first examined by the MCIB on 1st July 2014. The vessel was further examined on 18th October 2014 and the following was noted:
- 3.11.1 The vessel had no identifying marks, such as its name, port of registry or fishing number.
- 3.11.2 The vessel was an open type lake boat purchased in Northern Ireland in or around 2000. The vessel was designed for use in Lough Neagh and not in the open sea. The vessel was constructed of GRP in simulated clinker style. The year of manufacture or details of the builder were not known.
- 3.11.3 The vessel had been fitted out in 2013 for use as a fishing vessel. It is understood that it was intended to have the vessel inspected under the Code of Practice for Compliance for Design, Construction, Equipment and Operation of Small Fishing Vessels of less than 15 m. The vessel was in service for less than 6 months and had been used approximately 4 times for potting. It was described as a "work in progress" (see Appendix 7.4 Photographs No.3).
- 3.11.4 The vessel had a small forward open wheelhouse or cuddy. There was a new marine VHF transceiver in this area, fitted for Digital Selective Calling (DSC) operations (manufacturer's name not visible). There was a bracket for the EPIRB, which was empty. The only other instruments were an instrument panel and ignition switch for the engine (see Appendix 7.4 Photographs No.4).
- 3.11.5 The vessel's gunwhales had been capped with timber in an effort to increase freeboard. However, there was an opening at the transom to allow the tiller connect to the steering gear.
- 3.11.6 The vessel was powered by an inboard BUKH 3 cylinder water cooled diesel engine, coupled to a reduction gearbox, stainless steel propeller shaft and 3 blade fixed pitch manganese bronze propeller.



- 3.11.7 An outboard engine was mounted on a transom bracket, Honda 5 HP.
- 3.11.8 The vessel had a non-standard galvanised steel rudder fitted with a galvanised steel stock secured to the outside of the transom with stainless steel gudgeon type bearings.
- 3.11.9 The engine was controlled by a remote “Morse” type lever, with cables linked to both the throttle and gearbox selector.
- 3.11.10 The lever was found in the ahead position with the forward gear engaged and the throttle open.
- 3.11.11 The gearbox linkage was found engaged in the ahead position.
- 3.11.12 Information received indicated that there were two bilge pumps aboard.
- 3.11.13 A coloured 3 strand polypropylene rope was entangled around the propeller. One end led up the port side of the transom to the deck area. The other end had been cut. The direction of the rope indicated that the engine was going ahead at the time.
- 3.11.14 On the starboard side, close to the waterline, there was a fresh fracture in the shell. The fracture was vertical and spanned one simulated strake. There was abrasion of the gel coat at the base of 2 simulated strakes, one above and one below the fracture.
- 3.11.15 In the transom area there was a hole on the port side, below the engine exhaust outlet and above the waterline. Inspection showed that this was a bolt hole drilled in the vessel. Its purpose was to provide a lower support for the sampson post fitted at the port quarter. The following was noted:
- (a) The distance from the base of the skeg to the transom opening for the tiller arm was 1,350 mm.
  - (b) Using a “High Tide” mark the approximate waterline position at the transom was 650 mm.
- 3.11.16 The line outlining the separation of the keel extension was clearly visible at the time of inspection. It formed a small crack, visible to the naked eye, mainly towards the fore end. When the photograph was blown up on screen the full extent of the separation was realised (see Appendix 7.4 Photographs No.5).
- 3.11.17 On deck, behind the engine casing, there were 2 lobster pots, one with the coloured rope attached to it, the same colour as that fouling the propeller.

- 3.11.18 A hydraulic powered pot hauler was fitted to the starboard side gunwhale, just aft of the cuddy. The hydraulic pump was located on the port side of the wheelhouse or cuddy.
- 3.12 Two items were recovered from the scene, an EPIRB and an inflated PFD. These items were examined and the following was noted:
- 3.12.1 The casualty was found wearing a single chamber inflatable PFD, manufactured by Mullion and was still fully inflated. It was manufactured in March 2013 and the next service date was due in June 2014. The serial number was 062260. The PFD conformed to ISO 12402.
- 3.12.2 The EPIRB was manufactured by Standard Communication Pty Ltd. of New South Wales, Australia. The unit is called the GME EPIRB and the model number was MT 400 E9998. The serial number was 60608046. The name “*MFV Lively Lady*” was stuck on to the side of the EPIRB. The call sign was EIBG9. The unique number was 9F5BOB33AE6A8DI. The battery expiry date was December 2012.
- 3.12.3 The unit was a manually operated type, that is, it had to be manually operated rather than operating automatically on coming into contact in water. The plastic orange cover covering the control was partially open. The switch was in the “off” position.
- 3.12.4 To activate the beacon a yellow element had to be slid into position. The test button was operated. There was a muted beep and a dim light came from the beacon.
- 3.13 Details of the vessels in the immediate area at the time were obtained from the Coast Guard.
- 3.14 The following times and heights of tides were provided by Malin Head Radio:
- |             |           |                 |         |
|-------------|-----------|-----------------|---------|
| High Water: | 06.54 hrs | Height of tide: | 2.50 m. |
| Low Water:  | 13.00 hrs | Height of tide: | 0.35 m. |
- 3.15 The appropriate chart for the area was British Admiralty chart BA 2811.
- 3.16 The Skipper of a witness vessel at Bunagee Pier confirmed the details of what has been outlined above, with respect to the sequence of events. The only additional information was that when the wreck was found he thought some of the pots had been recently baited but others were empty. The casualty used 10 pots to a string. The pots were constructed of steel and rope mesh.

- 3.17 The coastline in the area is complex. The headland is a cliff, but at sea level there are rock formations extending outwards like fingers with areas of deep water between them. The casualty occurred in one such inlet. According to the Irish Coast Guard the casualty occurred immediately north of Kinnagoe Head, which lies to the north of Kinnagoe Bay.
- 3.18 The EPIRB which was recovered was covered by a Marine Notice, issued in 2013 to which a warning from the manufacturer was attached. In July 2014, a further Marine Notice was issued advising of a manufacturer's recall for the unit.
- 3.19 The MCIB arranged for the EPIRB to be inspected at Buncrana Garda Station on 9th September 2014. Various parties were represented, including the Gardaí, Bureau Veritas UK, the Marine Survey Office and the family of the deceased.
- 3.20 All function tests of the EPIRB were considered successful (see Appendix 7.5 Test Report).

## 4. ANALYSIS

- 4.1 The weather is not considered a factor in this casualty. Although the forecast was for easterly winds between SE and NE. The actual weather recorded by Malin Head shows the wind was of approximately 8 knots, described as a gentle breeze on the Beaufort wind scale. By 10.00 hrs the wind had dropped and conditions were calm.
- 4.2 The vessel was operated by a single person.
- 4.3 The vessel recovered from the seabed was of different construction and power to that shown on the Declaration of Compliance and the Fishing Licence. It has now been confirmed that the vessel carrying the name “*MFV Lively Lady*” was not the vessel that foundered.
- 4.4 The only lifesaving appliances found at the scene were the PFD worn by the casualty and the EPIRB.
- 4.5 The vessel was engaged in potting for lobsters. Two steel lobster pots were on-board the vessel. The divers reported that the remaining pots in the string were piled in a heap on the seabed, apart from one that was trapped between two rocks.
- 4.6 Reviewing the video footage of the vessel before it was raised, shows that there were a few ropes around the wreck. The most important was the 3 strand multi-coloured rope which was wrapped around the propeller. One end led downwards to the lobster pot that was trapped. The other end led up the port side of the transom and onto the deck.
- 4.7 The hole low down on the port side of the transom is considered to be a significant factor with respect to causing the loss. The hole was located approximately 150 mm above the apparent waterline, as noted by discolouration of the hull.

## 5. CONCLUSIONS

- 5.1 It will not be possible to state clearly how the casualty occurred. However, the vessel was engaged in either hauling pots or setting the string of pots. The Skipper of a witness vessel stated that some of the pots were baited, indicating that they were being set when the incident occurred. The only clear evidence was the rope that fouled the propeller led directly to a lobster pot that was jammed between two rocks.
- 5.2 The vessel involved was originally designed as an open lake boat, for use on Lough Neagh. The intended method of propulsion was either oars or a small outboard engine. The deceased had extensively modified the vessel by extending the keel, inserting an inboard engine, propeller shaft, stern gland, transom mounted rudder, raising the height of the gunwhales and adding a pot hauler and cuddy. There is no record of the vessel's stability being assessed post modifications.
- 5.3 The placement of the line trapped around the propeller led from the port aft quarter inside the vessel to the propeller and then towards the seabed. The gear lever was engaged in the ahead position with slight throttle applied. This provided forward momentum.
- 5.4 While it is not possible to be certain of the cause of the sinking, it is considered most probable that the weight of the trapped lobster pot caused sufficient pull on the vessel to cause a list. This would have caused the vessel to start to flood through the hole found in the transom. Once flooding commenced it would have overcome any bilge pumping arrangement that may have been on-board (although none was found). While the casualty had time to remove the EPIRB from its bracket he had insufficient time to activate it.
- 5.5 The battery on the EPIRB recovered was out of date, however, tests proved that the EPIRB was still functioning but had not been activated.
- 5.6 The vessel was not compliant with the requirements of the Department of Transport, Tourism and Sport (DTTAS) Code of Practice for the Design, Construction, Equipment and Operation of Small Fishing Vessels of less than 15 m length overall. The vessel was not carrying the required lifesaving appliances in the form of lifebuoys or other aids. The only equipment recovered from the scene were the EPIRB and the PFD worn by the casualty.

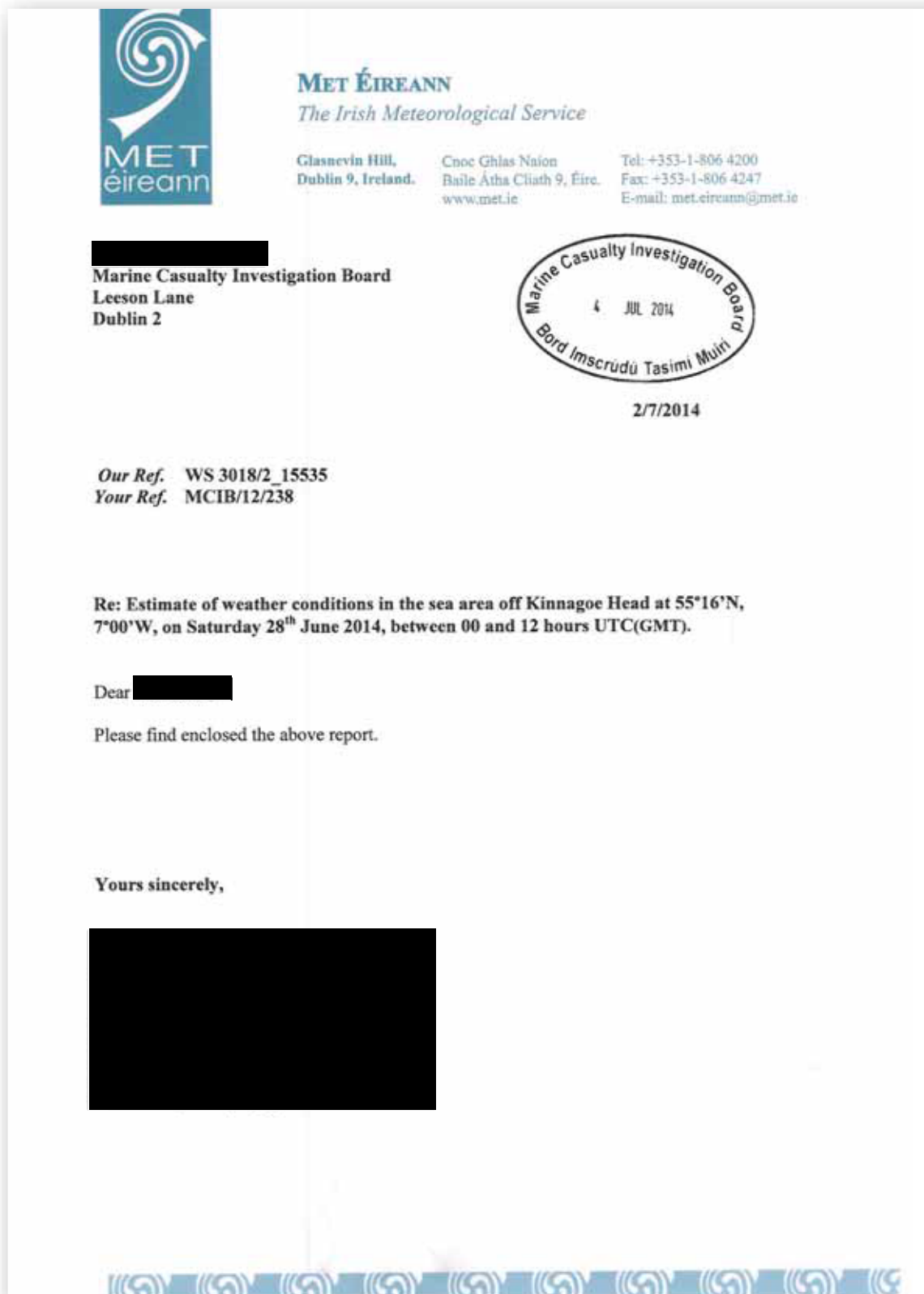
## 6. SAFETY RECOMMENDATIONS

- 6.1 The Board considers that due to the circumstances of this particular incident as set out in the report, no safety recommendations are merited. The Board notes that any safety equipment issues that arise within this report are already provided for within the Design, Construction, Equipment and Operation of Small Fishing Vessels of less than 15 m overall Code of Practice.

7. APPENDICES


	PAGE
7.1 Met Éireann Weather Report	16
7.2 Details of weather as recorded by Malin Head automatic station	20
7.3 Chartlet of area of incident	22
7.4 Photographs	23
7.5 EPIRB Test Notes	26

## Appendix 7.1 Met Éireann Weather Report.






Appendix 7.1 Met Éireann Weather Report.



**MET ÉIREANN**  
*The Irish Meteorological Service*

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Our Ref. WS 3018/2\_15535  
Your Ref. MCIB/12/238

2/7/2014

**Estimate of weather conditions in the sea area off Kinnagee Head at 55°16'N, 7°00'W, on Saturday 28<sup>th</sup> June 2014, between 00 and 12 hours UTC(GMT).**

General Situation  
A thundery Low Pressure area centred just south of Ireland gave an easterly airflow over the area.

Details:

0 – 6 hours  
Winds: Light to Moderate, Force 2 to 4, from an easterly direction, between south-east and north-east.  
Weather: Dry and rather cloudy  
Visibility: Good, greater than 30km  
Seastate: Slight, with significant wave heights of less than 1m and 7 sec periods, mainly composed of swell waves from the north-west.

6-12 hours  
Winds: Light to Moderate, Force 2 to 4, from an easterly direction, between south-east and north-east.  
Weather: Dry and rather cloudy but bright  
Visibility: Good  
Seastate: Slight, with significant wave heights of less than 1m and 6 sec periods, mainly composed of swell waves from the north.

Research & Applications Division  
Met Éireann

## Appendix 7.1 Met Éireann Weather Report.



**MET ÉIREANN**  
The Irish Meteorological Service

Glasnevin Hill, Cnoc Ghlas Naíon  
Dublin 9, Ireland. Baile Átha Cliath 9, Éire.  
www.met.ie



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Beaufort Scale of Wind					
Force	Description	Speed*		Specification	Wave height**
		knots	km/hr	-sea	(metres)
0	Calm	<1	<1	Sea like mirror	
1	Light air	1-3	1-5	Ripples	0.1 (0.1)
2	Light breeze	4-6	6-11	Small wavelets	0.2 (0.3)
3	Gentle breeze	7-10	12-19	Large wavelets, crests begin to break	0.6 (1)
4	Moderate breeze	11-16	20-28	Small waves becoming longer, frequent white horses	1 (1.5)
5	Fresh breeze	17-21	29-38	Moderate waves, many white horses, chance of spray	2 (2.5)
6	Strong breeze	22-27	39-49	Large waves, white foam crests, probably some spray	3 (4)
7	Near gale	28-33	50-61	Sea heaps up, streaks of white foam	4 (5.5)
8	Gale	34-40	62-74	Moderately high waves of greater length	5.5 (7.5)
9	Strong gale	41-47	75-88	High waves, dense streaks of foam, spray may reduce visibility	7 (10)
10	Storm	48-55	89-102	Very high waves, long overhanging crests, visibility affected	9 (12.5)
11	Violent storm	56-63	103-117	Exceptionally high waves, long white foam patches cover sea	11.5 (16)
12	Hurricane	64+	117 & over	Air filled with foam and spray, sea completely white	14 (-)

\*Speed = mean speed at a standard height of 10 metres.  
\*\*Wave height is only intended as a guide to what may be expected in the open sea.  
Bracketed figures indicate the probable maximum wave height.

### Wave Heights / State of Sea

The wave height is the vertical distance between the crest and the preceding or following trough. The table below gives a description of the wave system associated with a range of significant wave heights. The Significant wave height is defined as the average height of the highest one-third of the waves. (It is very close to the value of wave height given when making visual observations of wave height.)

Sea State (Descriptive)	Significant Wave height in meters
Calm	0 - 0.1
Smooth (Wavelets)	0.1 - 0.5
Slight	0.5 - 1.25
Moderate	1.25 - 2.5
Rough	2.5 - 4
Very rough	4 - 6
High	6 - 9
Very high	9 - 14
Phenomenal	Over 14

Individual waves in the wave train will have heights in excess of the significant height. The highest wave of all will have a height about twice the significant height

### Visibility Descriptions of visibility mean the following:

Visibility (Descriptive)	Visibility in nautical miles (kilometres)
Good	More than 5 nm (> 9 km)
Moderate	2 - 5 nm (4 - 9 km)
Poor	0.5 - 2 nm (1 - 4 km)
Fog	Less than 0.5 nm (< 1km)

### Note:

If there are no measurements or observations available for an exact location, these estimated conditions are based on all available meteorological measurements and observations which have been correlated on the routine charts prepared by Met Éireann.

Appendix 7.1 Met Éireann Weather Report.




[http://www.met.ie/marine/marine\\_map.asp](http://www.met.ie/marine/marine_map.asp)

## Appendix 7.2 Details of weather as recorded by Malin Head automatic station.

Daily Data - Climate - Met Éireann - The Irish Meteorological Service. <http://www.met.ie/climate/daily-data.asp>

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The Irish Meteorological Service Online

Thursday, 03 July 2014 | Dublin | SW Moderate | Search

Home - Climate - Daily Data  
**Daily Data**  
 Weather Station Data - From 03/07/2013 to 02/07/2014

Please Select a Station and Date from the menu on the right.

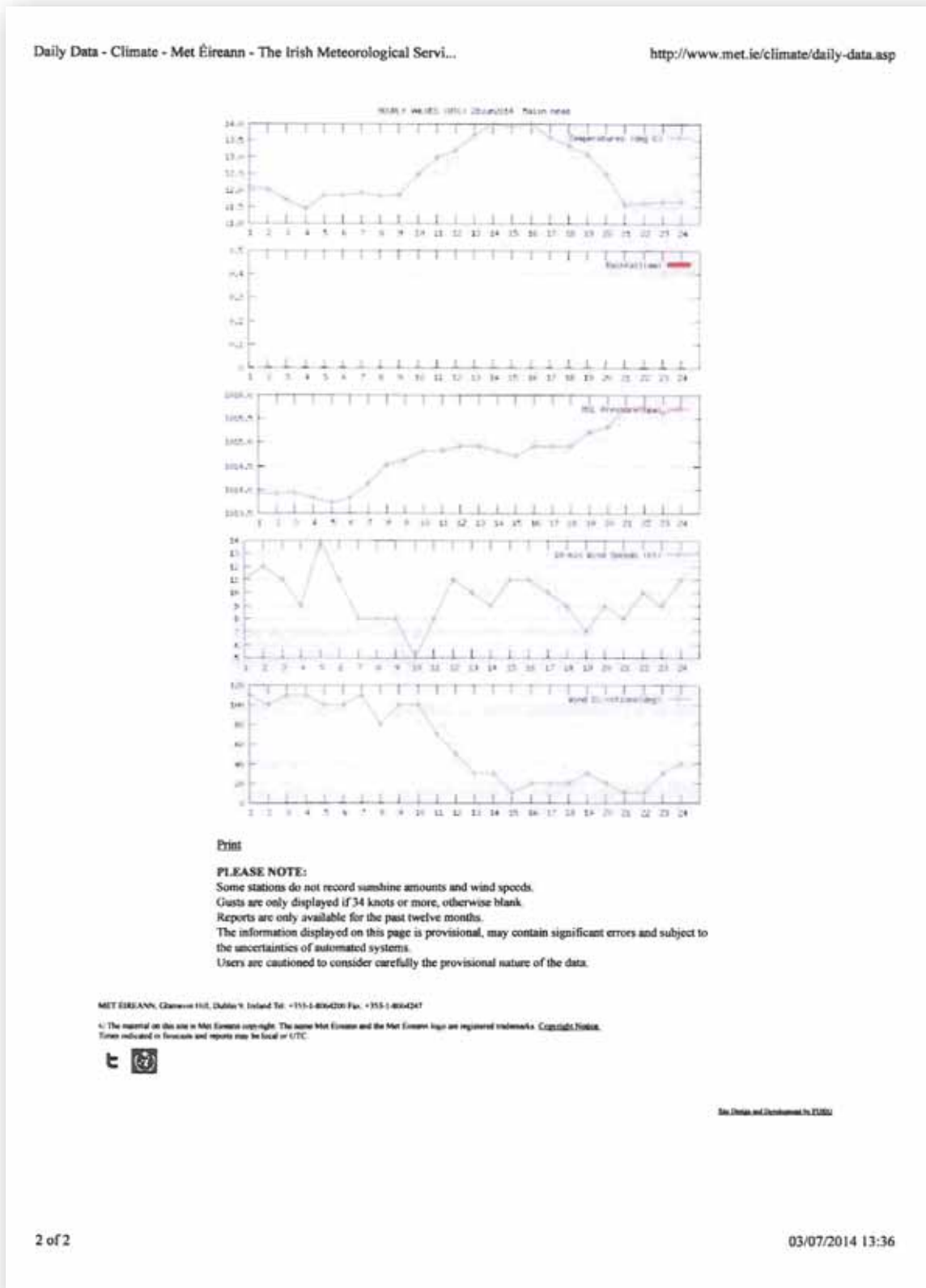
Please Note: The manual weather station at Malin Head was officially closed on December 31, 2009 and was replaced by an Automatic Weather Station at the same location from January 1, 2010.

**REPORTS FROM MALIN HEAD (A)**

Date	Rainfall (mm)	Max Temp (°C)	Min Temp (°C)	Grass Min Temp (°C)	Mean Wind Speed (knots)	Maximum Gust (if >= 34 knots)	Sunshine (hours)
28/6/2014	0	14.4	11.3	8.2	9.7		8.3

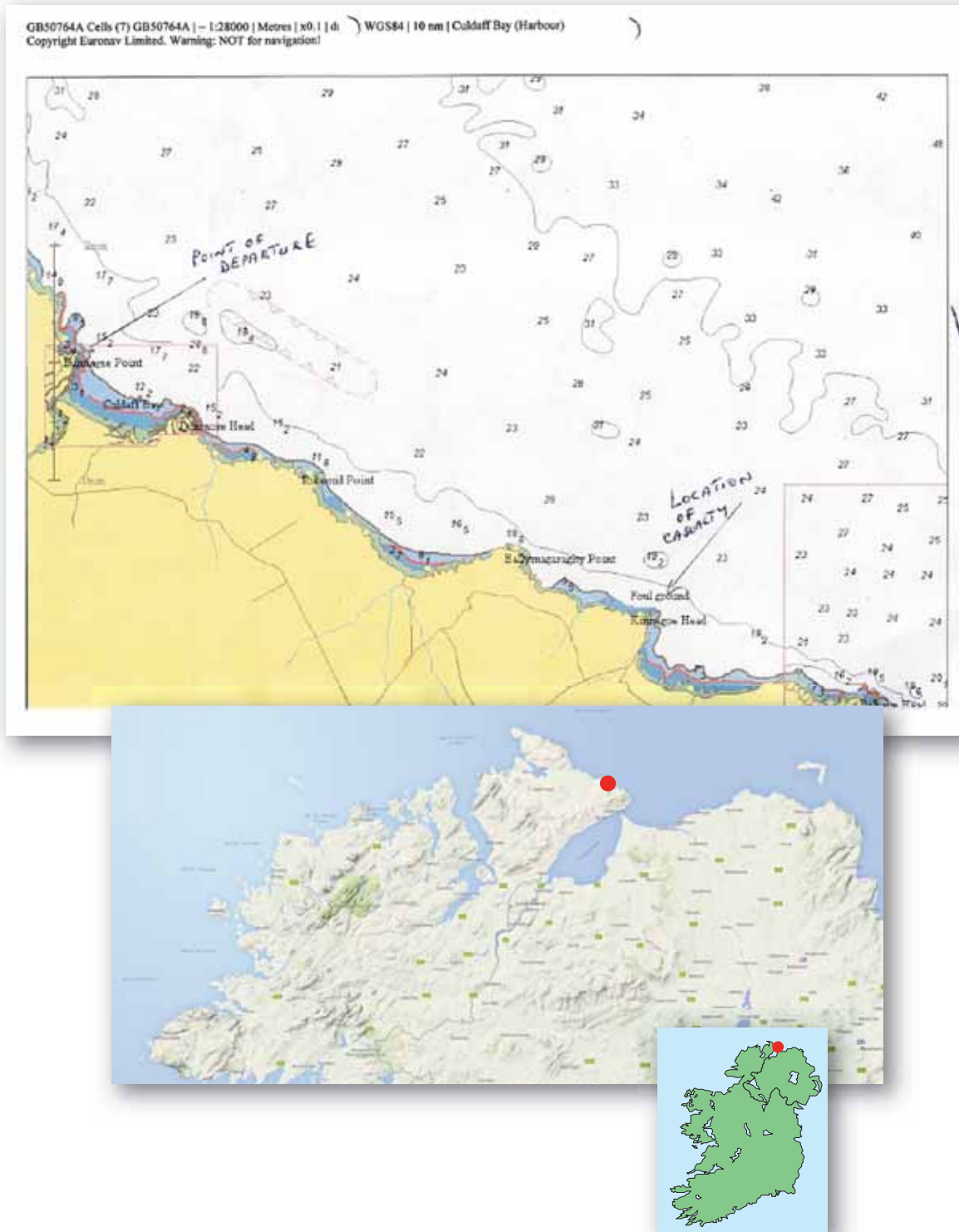
of 2 03/07/2014 13:36

Appendix 7.2 Details of weather as recorded by Malin Head automatic station.



# APPENDIX 7.3

Appendix 7.3 Chartlet of area of incident.





Appendix 7.4 Photographs.



Photograph No. 1 - Underwater image showing rope wrapped around the propeller



Photograph No. 2 - View of rope wrapped around propeller as seen at time of inspection

Appendix 7.4 Photographs.



Photograph No. 3 - View of vessel from starboard side forward



Photograph No. 4 - View of inside of vessel from top of transom



Appendix 7.4 Photographs.



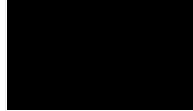
Photograph No. 5 - Shows cracking along keel line

## Appendix 7.5 EPIRB Test Notes.

**Notes of tests and inspection carried out on GME EPIRB**  
**Type: C/S Class2 Manual Activation. Model MT400 –e999B. S/N 60608046.**

**Buncrana Garda Station 9<sup>th</sup> of September 2014**

**Present**



Family Member 1  
Family Member 2  
Family Member 3  
Family Member 4

Ships Radio Surveyor, Marine Survey Office  
An Garda Síochána, Buncrana  
Marine Casualty Investigation Board  
Bureau Veritas UK

- 1. Carried out visual examination for any signs of physical damage or potential water ingress and noted labelling.**

No signs of physical damage or water ingress observed.

Switch cover found to be in the open position. Following further examination, the switch cover has found to not close freely.

Safety seal across the slide switch found to be broken and partially missing.

Battery replacement label noted as *Dec 2012*.

Label affixed to the EPIRB unit with the Vessel name *LIVELY LADY*.

Label affixed to the EPIRB unit with details below.

*Radio Call Sign: EIBG9*

*Country: Ireland*

*UIN: 9F5B0B33AE6A8D1*

- 2. Carried out monthly test as per manufacturer's guidelines. Yellow button momentarily depressed then released.**

The test function was performed satisfactorily. Observed the EPIRB emit an audible "double beep" and flash of the LED strobe.

- 3. Using GMDSS Test Box set to EPIRB Test Mode, monthly test procedure repeated.**

The test function was performed satisfactorily. Observed the EPIRB emit an audible "double beep" and flash of the LED strobe.

The GMDSS Test Box indicated that the test was satisfactorily passed.

Test box indicated "Receive ok". Correct UIN/Hex code, country code, callsign, auxiliary device and type of EPIRB information received by the Test Box.

- 4. Fully activated EPIRB to carry out live test.**

Malin Head Coast Guard confirmed that the EPIRB emergency transmission was successfully detected and decoded by Kinloss UK Mission Control Centre.

8. CORRESPONDENCE RECEIVED

PAGE

8.1 Correspondence from Wife of Deceased

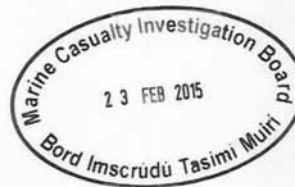
28

**Note:** The name and contact details of the individual respondent has been obscured for privacy reasons.

# CORRESPONDENCE 8.1

## Correspondence 8.1 Wife of Deceased and MCIB response.

Secretariat  
Marine Casualty Investigation Board  
Leeson Lane  
Dublin 2



Ref MCIB/12/238

Dear Madam

We [redacted] family have read through and studied the draft report of the investigation of his death on 28<sup>th</sup> June 2014. We have found some discrepancies in this report. We wish for you to amend your report to include these known facts.

1.1 States that the boat departed Bunagee Pier, Culdaff. The boat actually left Portleen Pier, Glengad.

2.1 States overall length 6m and breadth 2.14m. The actual length is 5.18m and breadth is 1.98m.

3.11.12 States that no evidence of a bilge pump was found. There was and still is a bilge pump attached to the boat. There is also no mention anywhere in the report about a hand pump that is also in the boat.

3.11.5 States that there was a bolt hole for a sampson post and that it was the only opening apart from the exhaust outlet. There is a bilge pump outlet.

3.16 States that the skipper of Samantha Ann added information. That he thought some of the pots were recently baited. We have spoken to the skipper of Samantha Ann and he has denied all knowledge of this.

3.18 epirb recall??  
We are looking into this as we are not sure if this epirb was on the recall list.

4.7 States that the hole low down on the port side of the transom is considered to be a significant factor. When the investigator came to inspect the boat, we were told that the Sampson post hole was not considered to be a significant factor.

5.4 States that the boat started to flood through the hole found in the transom and that it would have over come any bilge pump had there been one. Again when speaking to the investigator he informed us that this hole was of no real significance and that the boat was being pulled down backwards and that the water would have been coming

**MCIB RESPONSE:**  
1.1 and 2.1 The report has been amended to reflect this.

**MCIB RESPONSE:**  
3.11.12 The MCIB notes this and points out that the investigator did not find any bilge pump on two visits to the vessel. However, the MCIB will amend the report based on the information supplied by the wife of the deceased.

**MCIB RESPONSE:**  
3.1.15 The bolt hole was considered sufficient to leave the vessel open to the sea and therefore a contributor to the cause of the incident.

**MCIB RESPONSE:**  
3.16 The MCIB points out that their investigator interviewed the Skipper of a witness vessel and therefore stands by this section.

**MCIB RESPONSE:**  
3.18 The MCIB notes this point of the response.

**MCIB RESPONSE:**  
4.7 The MCIB points out that the position of the hole lowdown on the port side of the transom was clearly the first point of entry of water into the vessel.

**MCIB RESPONSE:**  
5.4 The Investigator has stated that there was no discussion about being pulled backwards.

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in over the back of the boat. Again there was and still is a bilge pump attached to the boat.

There is a map included in the report of the departure pier. Portleen Pier is not on this map.

We would be grateful if you would contact us regarding these discrepancies so they can be cleared up before the final draft is drawn up.

Best Regards







