

**MCIB**

Marine Casualty Investigation Board  
*Bord Imscrúdú Taisní Muirí*



**REPORT OF AN INCIDENT  
INVOLVING  
'PV MARY ANN OF DUNLOE'  
ON  
LOUGH LEANE,  
KILLARNEY,  
CO. KERRY  
1st SEPTEMBER 2016**

**REPORT NO. MCIB/264  
(No.10 OF 2017)**

The Marine Casualty Investigation Board (MCIB) examines and investigates all types of marine casualties to, or on board, Irish registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

The MCIB objective in investigating a marine casualty is to determine its circumstances and its causes with a view to making recommendations for the avoidance of similar marine casualties in the future, thereby improving the safety of life at sea.

The MCIB is a non-prosecutorial body. We do not enforce laws or carry out prosecutions. It is not the purpose of an investigation carried out by the MCIB to apportion blame or fault.

The legislative framework for the operation of the MCIB, the reporting and investigating of marine casualties and the powers of MCIB investigators is set out in The Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

In carrying out its functions the MCIB complies with the provisions of the International Maritime Organisation's Casualty Investigation Code and EU Directive 2009/18/EC governing the investigation of accidents in the maritime transport sector.



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Report MCIB/264 published by The Marine Casualty Investigation Board.  
Printed 12th September 2017.



	PAGE
1. SUMMARY	4
2. FACTUAL INFORMATION	5
3. NARRATIVE	7
4. ANALYSIS	9
5. CONCLUSIONS	11
6. SAFETY RECOMMENDATIONS	12
7. APPENDICES	13
8. NATURAL JUSTICE - CORRESPONDENCE RECEIVED	22

## 1. SUMMARY

On the morning of the 1st September 2016 at approximately 11.30 hrs a passenger vessel carrying twelve tourists was making its way from Ross Castle to the Gap of Dunloe. As the vessel approached Foilcoille Point on Lough Leane, conditions worsened with high winds and steep waves. The vessel became swamped and passengers were tipped into the water. Three other vessels came to the rescue of the casualty vessel. All passengers and the crewmember of the casualty vessel were rescued with no serious injuries having been sustained.

Note all times are local time = UTC + 1

## 2. FACTUAL INFORMATION

### 2.1 Description of Vessel

Name of Vessel: *'PV Mary Ann of Dunloe'*.

Type of Vessel: Open Boat.

Construction: Traditional Irish clinker built, timber vessel of open configuration (see Appendix 7.1 Photograph No. 1).

#### Principal Particulars

Length Overall: 8.24 metres (m).

Beam: 1.93 m.

Depth: 0.61 m to top of keelson.

At the time of the incident the vessel was propelled by a 20 hp Yamaha outboard engine.

The vessel was built in 2004 and had a current P2 Passenger Boat Licence for the carriage of twelve passengers and two crew valid until 23rd September 2016. The licence was issued by the Marine Survey Office of the Department of Transport, Tourism and Sport. This was issued in accordance with the Merchant Shipping Act 1992, as amended and the S.I. No. 273/2002 - Merchant Shipping (Passenger Boat) Regulations 2002.

A Class P2 passenger boat is defined in the legislation as one “with no more than 12 passengers on board used for domestic voyages in smooth waters or in partially smooth waters in the course of which the passengers are engaged in activities other than those specified in Class P4.”

The legislation specifies activities in Class P4 as where “the passengers are engaged exclusively in the course of their employment in connection with marine civil engineering, survey of harbour limits dredging or similar commercial activities.”

The vessel held a Permit to Operate on the Lakes of Killarney issued by the National Parks and Wildlife Service.

### 2.2 Voyage Particulars

The vessel departed Reen Pier, Ross Castle, Killarney, for the Gap of Dunloe at approximately 11.00 hrs on the 1st September 2016, with twelve passengers, a Master and four bicycles on board.

In the vicinity of Foilecoille the vessel became swamped and listed to port tipping the passengers and the Master into the water (see Appendix 7.2 Map of area of incident).

All of the passengers and the Master were subsequently rescued by three other vessels and safely returned to Ross Castle.

### **2.3 Type of Casualty**

This was a serious marine casualty, which posed the threat of death or serious injury to persons.

### **2.4 Predicted Weather Conditions (see Appendix 7.3 Met Éireann Weather Report)**

Met Éireann estimated weather conditions in the area and time of the casualty, with winds from a southerly direction, Force 4 to 5 with Significant Wave Height 0.2 m increasing to 0.3 m at 12.00 hrs.



### 3. NARRATIVE

- 3.1 Prior to departure very basic safety instructions were given by the Master of the vessel. All passengers were provided with lifejackets which were donned before departure (see Appendix 7.1 Photograph No. 2).
- 3.2 The vessel departed Reen Pier, Ross Castle, Killarney, for the Gap of Dunloe at approximately 11.00 hrs on the 1st September 2016, with twelve passengers, a Master and four bicycles on board (see Appendix 7.1 Photograph No. 3).
- 3.3 At approximately 11.12 hrs the Master instructed passengers to cover themselves with tarpaulins as protection against spray, which the boat was beginning to ship. Each tarpaulin covered the legs and torsos of three or four persons.
- 3.4 The vessel continued across the lake shipping copious amounts of water, described “as if someone was throwing buckets of cold water over them”.
- 3.5 At approximately 11.20 hrs the Master elected to turn around. When the vessel slowed down, it was noted that the water level in the vessel was above the ankles of the passengers sitting in the stern of the vessel. The structure of the vessel is such that floorboards are laid above the bilge. The fact that water was noted above the passengers ankles would indicate that a considerable amount of water had entered the vessel flooding the bilge and the hull of the vessel before even reaching the passengers’ feet. As the boat continued turning, waves hit the vessel broadside and on the transom, flooding it and causing the engine to cut out. The Master stated that he only began manoeuvring the vessel after being hit by a single wave, which he refers to as a “rogue wave” that swamped the vessel.
- 3.6 The Master did not raise any alarm by radio, mobile phone or flare requesting assistance. Passengers believed that they were unsuccessful in their attempt to attract the attention of a nearby waterbus. However, although the waterbus continued on its passage due to the restricted depth of water in the area, it did alert a nearby vessel of the incident.
- 3.7 The vessel flooded to the height of the gunwales resulting in the vessel listing to port, causing the majority of the passengers and the Master to tip over into the water. The vessel was submerged until just the top of bow and top of engine were visible. The timber construction and buoyancy arrangements required for a P2 passenger boat licence ensured that the vessel did not sink.
- 3.8 The Master advised passengers to grab hold of the vessel. The majority of the passengers were able to grab hold of the sides of the vessel, despite the fact that they were substantially submerged.

- 3.9 Another vessel, belonging to the same operator with four passengers on board, was returning to Ross Castle due to the adverse weather conditions and spotted the passengers in the water and went to their assistance. Shortly after that a second vessel, also belonging to the same operator, arrived on scene to assist.
- 3.10 The first vessel, which arrived to assist, was able to take on board some passengers from the *'PV Mary Ann of Dunloe'*. Some passengers were still in the water but the first vessel was unable to deploy their lifebuoys which had been secured and tied in a manner that meant they could not easily be released.
- 3.11 The second vessel to arrive at the scene, also encountered difficulties. One of the ropes from the *'PV Mary Ann of Dunloe'* caught around its propeller. As these vessels are manoeuvred by the use of the outboard engine, the entanglement of the rope removed the steering capability thus causing the second vessel to collide with the stricken vessel and be holed and in danger of sinking.
- 3.12 A third vessel arrived on the scene. It picked up passengers from the holed second vessel which included some original passengers from the *'PV Mary Ann of Dunloe'*. They returned all of the passengers and crew to Ross Castle, which was the departure and landing location.
- 3.13 The third vessel to come to the rescue had been going on the Gap of Dunloe tour ahead of the *'PV Mary Ann of Dunloe'* and had returned to Ross Castle due to the adverse weather conditions encountered on the lake. It was then proceeding out again with five passengers on board with the intention of going to Inishfallen Island where the trip could be made within the lee of the land. The third vessel was alerted of the incident by the waterbus and proceeded to the scene.
- 3.14 A weather buoy had previously been positioned in Lough Leane but is no longer operational.

## 4. ANALYSIS

- 4.1 The ‘*PV Mary Ann of Dunloe*’ was a traditionally built vessel of a traditional design and there are no records of any stability testing of the subject vessel being carried out. Some of these vessels are constructed of wood and others of fibreglass.
- 4.2 A requirement of the P2 licence is that an open vessel, be fitted with sufficient approved built-in buoyancy to enable the vessel to remain afloat and upright in the event of the vessel being swamped. The legal requirement is as follows: “(d) in the case of open cockpit vessels, be fitted with side benches which form watertight or buoyant compartments secured in place to provide a safety standard for the vessel to remain afloat to the satisfaction of the Minister and in the case of an open passenger boat, have sufficient built in buoyancy to provide a safety standard for the vessel to remain afloat to the satisfaction of the Minister.” The vessel did comply with this requirement (see Appendix 7.1 Photograph No. 4).
- 4.3 A condition of the issued P2 licence was “Passenger boat must only operate in favourable weather conditions”. “Favourable weather” means “weather when the visibility is good and when the combined effects of wind, sea and swell on the passenger boat are never greater than those which would cause moderate rolling or pitching or result in the shipping of green seas on the weather deck or, in the case of an open boat over the gunwhale.” A green sea is defined as “a wave that breaks in a solid mass on a vessel's deck”.
- 4.4 The voyage commenced in a sheltered area of the lake, but the voyage continued into a more exposed part of the lake where the conditions were unsuitable. In this case the vessel encountered green seas as the voyage progressed. The available evidence suggests that the nature of the conditions met by the vessel makes it more probable that it was not a single wave that swamped the vessel, as suggested by the Master.
- 4.5 There was water in the vessel up to the passengers’ ankles before the Master commenced the turning manoeuvre. This indicated that the pump was not adequately extracting the water at the speed of ingress. The combination of the prevailing lake conditions, the large amount of water already in the vessel, the speed of the vessel and the turning manoeuvre all contributed to the vessel becoming swamped.
- 4.6 The local geographical conditions give rise to localised weather effects and a national forecast does not capture the weather locally on the lake. Previously there was a weather buoy on the lake but this was no longer in operation. Therefore, at present there is no accurate means of determining weather conditions on Lough Leane.

- 4.7 At the time of the incident no alarm was raised and the emergency services were not contacted. The rescue of survivors relied upon the assistance of a sister vessel, operated by the same operator, which was in the area.
- 4.8 The only means of emergency communications on board this vessel was a mobile phone though no calls were made or attempted during this incident. Mobile phones are not recommended as an appropriate primary means of communication in an emergency. The majority of mobile phones are not waterproof, do not float and distance from the shore may have a significant impact on the availability of a signal.
- 4.9 The vessel was fitted with a 20 hp outboard engine, the Permit to Operate on the Lakes of Killarney issued by the National Parks and Wildlife Service is for an engine with a maximum 8 hp. The 8 hp engine capacity was originally designated for environmental concerns when the use of outboards became the norm on the lakes. A vessel with an 8 hp engine will not be capable of the same speed as a vessel with a 20 hp engine and reduces the possibility of the vessel shipping water.
- 4.10 It was not possible to utilise lifebuoys from the first vessel on the scene due to these being tightly secured.
- 4.11 There were twelve passengers and the Master on board, making thirteen persons. In addition there were four bicycles with pannier bags and each passenger carried a bag. The average weight under the IMO/ISO guidelines allows for 75 kg per person, which would equate to 975 kg. It is estimated that the bicycles weighed 20 kg each, totalling 80 kg and it is estimated that twelve bags were approximately 12.5 kg each, totalling 150 kg. Other miscellaneous weight on the vessel, including the engine, is estimated at 120 kg. The total weight on the vessel is estimated to have been 1325 kg. The license for P2 passenger vessels states a maximum of twelve passengers, but there is no maximum weight for this type of licence.
- 4.12 The Master of the vessel did not carry out a passage plan before departing on this voyage.
- 4.13 The Master did not hold the required Passenger Vessel Commercial Endorsement to act as the Master of the vessel.

## 5. CONCLUSIONS

- 5.1 The voyage was undertaken in weather conditions which were not suitable for the operation of a laden vessel. Passage planning had not been carried out for the entire route of the voyage.
- 5.2 The vessel in its laden condition had insufficient freeboard to prevent down-flooding and as a result it was swamped in the conditions encountered.
- 5.3 Flares are carried on board the vessel, as required by the P2 Licence, however the flares were stored forward in the vessel and were not easily accessible by the vessel's Master.
- 5.4 No attempt was made to send a MAYDAY alert or call for the assistance of the emergency services. In an emergency situation it is prudent practice to request assistance by all possible means.
- 5.5 The rescue was effected by the intervention of the other craft, which either spotted the stricken vessel or were made aware of the situation by the passing waterbus.
- 5.6 The vessel's Master did not hold the required Commercial Endorsement to act as the Master of this passenger vessel.
- 5.7 The first vessel, which came to the aid of the '*PV Mary Ann of Dunloe*' was unable to deploy lifebuoys aboard as they were secured in a manner which precluded ready deployment.

## 6. SAFETY RECOMMENDATIONS

- 6.1 Met Éireann should consider extending the current Met Éireann inland lakes forecasts to include other large inland lakes for example Lough Leane.
- 6.2 The Irish Coast Guard should consider extending the current inland lakes VHF coverage to include other large inland lakes for example Lough Leane.
- 6.3 The Department of Transport, Tourism and Sport should consider reviewing the licencing requirements with regard to the carriage of bicycles and passengers on the licensed lake vessels on Lough Leane, in particular in relation to the freeboard issues identified in this report.
- 6.4 The National Parks and Wildlife Service should consider making it a requirement of their Permit to Operate on lakes for all licenced vessels to carry operating VHF radios.

7. APPENDICES

	PAGE
7.1 Photographs	14
7.2 Map of area of incident	16
7.3 Met Éireann Weather Report	17

### Appendix 7.1 Photographs.



Photograph No. 1: General view of vessel.



Photograph No. 2: Typical lifejacket provided.



Appendix 7.1 Photographs.



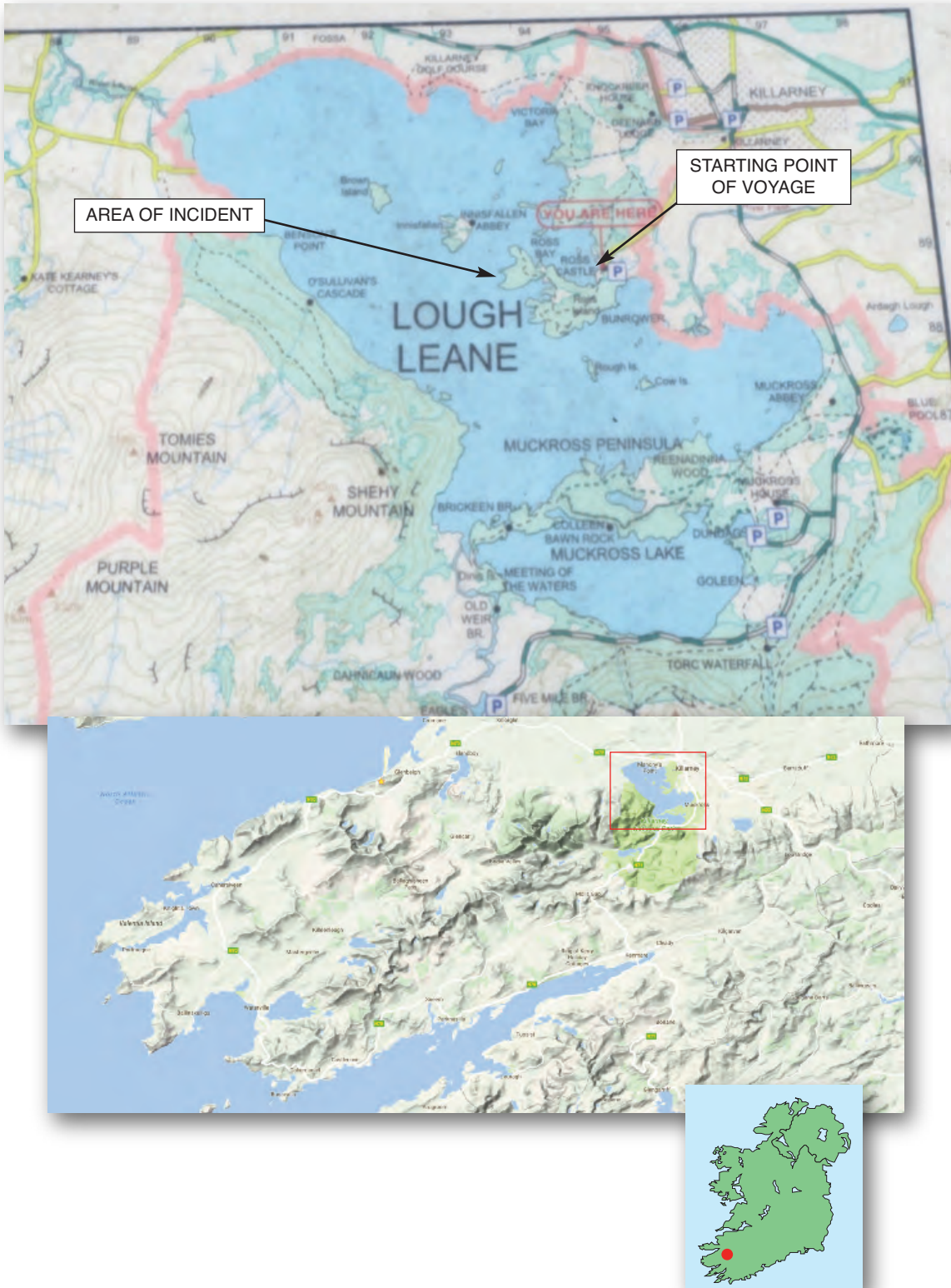
Photograph No. 3: Taken shortly after departure Ross Castle.



Photograph No. 4: Vessel internally.

# APPENDIX 7.2

Appendix 7.2 Map of area of incident.



Appendix 7.3 Met Éireann Weather Report.

Appendix 7.3 Met Éireann Weather Report.

[REDACTED]  
MCIB,  
Leeson Lane,  
Dublin 2.

8-September - 2016

*Our Ref.* WS  
3018/2\_16407  
*Your Ref.* MCIB/12/264

**Re: Estimate of weather conditions on Lower Lake, Killarney, Co Kerry, on the 1<sup>st</sup> of September 2016 between 06:00 hours and 12:00 hours.**

Dear Sir/Madam,

Please find enclosed the above report. Attached please find Appendices of Beaufort Force, Sea States and Sea Area Maps. Also supplied is the Sea Area Forecast issued at 6:00 am on the 1<sup>st</sup> September 2016.

Yours sincerely,

\_\_\_\_\_  
[REDACTED]

Appendix 7.3 Met Éireann Weather Report.

Appendix 7.3 Met Éireann Weather Report.

**General Meteorological Situation:** *A ridge of high pressure declined over Ireland. A frontal system approached from the west and reached the west coast of the country around midday.*

**Wind:** South Force 3 to 4 (9 to 12 knots) at 06:00 hours, increased gradually Force 4 to 5 (15 to 17 knots), by midday.

**Weather:** A little hazy sunshine up until 08:00 hours; then mostly cloudy. Dry for all of period. Some rain in afternoon.

**Temperatures:** The air temperature ranged 14 to 16 degrees Celsius.

**Visibility:** Good (Greater than 10 km).

**Sea States** Significant Wave Height 0.2 meters, increased 0.3 meters by 12:00 hours. Period all the while 2 seconds. Described as **wavelets**.



## Appendix 7.3 Met Éireann Weather Report.

**Appended Beaufort wind Scale.**

Beaufort Scale of Wind					
Force	Description	Speed*		Specification -sea	Wave height** (metres)
		knots	km/hr		
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.

Appendix 7.3 Met Éireann Weather Report.

**Sea States**

**1.1 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

**1.2 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 7.3 Met Éireann Weather Report.



## NATURAL JUSTICE - CORRESPONDENCE RECEIVED

Section 36 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000 requires that:

- “36 (1) Before publishing a report, the Board shall send a draft of the report or sections of the draft report to any person who, in its opinion, is likely to be adversely affected by the publishing of the report or sections or, if that person be deceased, then such person as appears to the Board best to represent that person’s interest.
- (2) A person to whom the Board sends a draft in accordance with subsection (1) may, within a period of 28 days commencing on the date on which the draft is sent to the person, or such further period not exceeding 28 days, as the Board in its absolute discretion thinks fit, submit to the Board in writing his or her observations on the draft.
- (3) A person to whom a draft has been sent in accordance with subsection (1) may apply to the Board for an extension, in accordance with subsection (2), of the period in which to submit his or her observations on the draft.
- (4) Observations submitted to the Board in accordance with subsection (2) shall be included in an appendix to the published report, unless the person submitting the observations requests in writing that the observations be not published.
- (5) Where observations are submitted to the Board in accordance with subsection (2), the Board may, at its discretion -
- (a) alter the draft before publication or decide not to do so, or
  - (b) include in the published report such comments on the observations as it thinks fit.”

The Board reviews and considers all observations received whether published or not published in the final report. When the Board considers an observation requires amendments to the report that is stated beside the relevant observation. When the Board is satisfied that the report has adequately addressed the issue in the observation, then the observation is ‘Noted’ without comment or amendment. The Board may make further amendments or observations in light of the responses from the Natural Justice process.

‘Noted’ does not mean that the Board either agrees or disagrees with the observation.



**8. NATURAL JUSTICE - CORRESPONDENCE RECEIVED**

	<b>PAGE</b>
8.1 Correspondence from Master and MCIB response	24
8.2 Correspondence from Owner and MCIB response	28
8.3 Correspondence from Dept. of Arts, Heritage, Regional, Rural and Gaeltacht Affairs and MCIB response	36
8.4 Correspondence from Witness and MCIB response	37
8.5 Correspondence from Witness and MCIB response	39
8.6 Correspondence from Witness and MCIB response	40
8.7 Correspondence from Witness and MCIB response	41
8.8 Correspondence from Witness and MCIB response	42
8.9 Correspondence from Witness and MCIB response	43
8.10 Correspondence from Witness and MCIB response	44
8.11 Correspondence from Witness and MCIB response	45

Note: The names and contact details of the individual respondents have been obscured for privacy reasons.

## CORRESPONDENCE 8.1

### Correspondence 8.1 Master and MCIB response.

██████████  
Secretariat,  
Marine Casualty Investigation Board,  
Leeson Lane,  
Dublin 2.

16<sup>th</sup> May 2017

██████████

I wish to acknowledge receipt of the draft report and thank you for the opportunity to comment on the draft report. I am pleased to assist in this matter and I am delighted that everyone was rescued successfully and uninjured.

I have a number of comments and observations to make on the draft report: The attached appendix contains the observations and comments that I wish to make. There are also a number of points that require further clarification and I await your reply to these.

Yours sincerely,

██████████



**Correspondence 8.1 Master and MCIB response.**

1. I note in the covering report from 'The Marine Casualty Investigation Board, that names of the parties involved in the incident and in natural justice process will not be included. Yet I note with dismay that photograph number 3 clearly identifies me. I am seeking confirmation that when the photograph is used that my face will be blurred out. I have no objection to the photograph being used if my face is blurred. This photograph supports my account of the weather conditions on the day and also shows that the boat was evenly balanced when setting off and was sitting high on the water.

Narrative

2. The investigator in the narrative at point 3.5 describes a situation where waves were causing water to enter the boat, raising water levels in the boat to ankle level. I have outlined that the boat was hit by a "rogue wave" which caused the water to fill the boat to seat level. It was after this single wave hit, that I as master took the decision to turn around and head for the nearby land. I discussed this narrative with the investigator and described moving to my right, to allow the Waterbus pass me on my left. I took this course of action as I was aware that there was a shallow quarry, that prevents the water bus from travelling over. In my meetings with the investigator I was informed by the investigator that he is a qualified Marine Engineer and find it disappointing despite a number of meetings and assurances that he would examine this fact. I believe that he has given some credence to my account of what happened as he states in 4.4 of the Analysis that green seas were encountered and gives a definition of green sea in 4.3 as " a wave that breaks in a solid mass on a vessel's deck", but I believe that greater emphasis should have been given to this fact. It was the amount of water entering the boat after being struck by the rogue wave that caused me to immediately commence a turning manoeuvre.
3. At point 3.3 of the narrative, the investigator outlines that I requested the passengers to prepare for some spray and that is correct. What is not included in this section is that I had slowed the boat to a near stop and explained what was likely to happen. At no stage did any passenger express any apprehension about carrying on. If they had, I would have immediately returned to Reen Pier. This fact should be included in the report. I accept that spray was entering the boat but the pump was dealing with this water. At 3.4, please remove the words "shipping copious amounts of water" as this greatly exaggerates the presence of uncomfortable spray which prompted me to ask the passengers to take the opportunity to use protective covers.
4. At point 3.6, the investigator states that the master did not raise any alarm and this implies that I had time to do so. I am aware that passengers have given accounts of water being above their knees in a very short space of time.
5. At point 3.6 the investigator also states that passengers were unsuccessful in their attempt to attract the attention of a nearby waterbus. Yet at 3.13 he outlines how another boat that had been going to the Gap ahead of me had turned back due to adverse weather conditions. He was alerted by the waterbus and proceeded to the scene. The only possible conclusion is that the waterbus had seen my boat get into difficulties and did not come to my aid. The report doesn't address this question. The boat that was travelling ahead of me to the gap had lost the engine cover and returned to Ross Castle to get another boat and engine and was returning on his journey to the gap. He also makes reference to the passing waterbus in 5.5.

**MCIB RESPONSE:**  
The MCIB notes this and has amended the report.

**MCIB RESPONSE:**  
The MCIB notes this comment and has amended the report at 3.5 and 4.4.

**MCIB RESPONSE:**  
Pursuant to the Merchant Shipping Acts it is the responsibility of the Master of a vessel to ensure the safety of all passengers, crew and the vessel.

**MCIB RESPONSE:**  
The report has been amended at 3.5 and a new 4.5 added. The evidence would not support the point that the pump was adequately dealing with the water ingress.

**MCIB RESPONSE:**  
The MCIB notes this, no amendment to the report is warranted.

**MCIB RESPONSE:**  
The MCIB notes this comment and has amended 3.6.

## Correspondence 8.1 Master and MCIB response.

6. At point 3.10 of the narrative and 4.9 of the Analysis , and 5.7 of the conclusion the investigator states that the passengers were unable to use their lifebuoys. This in completely incorrect. Two passengers, a boyfriend and girlfriend used the lifebuoys in the water and I am aware that the boyfriend made a statement to that effect. The lifebuoys are easily released and were on the day and used as designed and the report should reflect this fact.

**MCIB RESPONSE:** The MCIB notes this comment, 3.10 refers to the 1st vessel to arrive to assist and the report has been amended to clarify this point.

7. At point 3.12, the investigator states that the third boat arrived on the scene and picked up the remaining passengers from my boat and the holed second boat. This is also incorrect. The third boat did not rescue any passengers from my boat. The 12 passengers from my boat were put into the other two boats and it was when the second boat was taking in water and the third boat arrived that some passengers were transferred into his boat. This section should be changed to reflect this fact.

**MCIB RESPONSE:** 3.12 should be read in conjunction with 3.11 which explains the sequence of events. 3.12 has been clarified.

### Analysis

**MCIB RESPONSE:** 4.4 has been amended to support the evidence collected during the investigation.

8. At 4.4, please change the final sentence to “ in this case the vessel encountered a wave which flowed over the bow which prompted the master to return to Reen Pier”.

**MCIB RESPONSE:** The MCIB notes this comment, at 4.8 (previously 4.7). This is a general principle recognised by Marine Safety Authorities both nationally and internationally.

9. At 4.7, please delete the final line “ and distance from the shore may have a significant impact on the availability of a signal” as there is no evidence that there is any difficulty in receiving a mobile phone signal in the vicinity of Foilcoille and it also creates the impression that the boat was a long way from the shore.

10. At 4.9, please delete this paragraph in its entirety as there is clear evidence that the two lifebuoys where able to be released and where used at the time of the incident by two passengers on the boat when in the water and this paragraph is grossly prejudicial and misleading and demonstrates an anti biased view on the part of the investigator to ignore stated facts.

**MCIB RESPONSE:** It is very clear the 4.10 (previously 4.9) refers to the first vessel responding to the incident. No amendment has been made.

11. At 4.10, Average touring bike weight is 11-14kg and the 20 kg stated is an exaggeration. Personal baggage is listed as 12.5 kg each. This is in excess of the allowed carry-on weight in most airlines. In my experience the average bag is small and not carried by all passengers. Please amend or delete this paragraph.

**MCIB RESPONSE:** The research carried out and the evidence collected during the investigation indicates an average weight of a loaded touring bike is 20kg. No amendment has been made to the report at 4.11(previously 4.10).

12. At 4.12, The wording here is prejudicial and does not acknowledge that the master held all the qualifications required to seek the issue of the Passenger Boat Commercial Endorsement. Please reflect this fact in your report.

**MCIB RESPONSE:** 4.13 (previously 4.12) is a statement of fact and no amendment has been made to the report.

**Correspondence 8.1 Master and MCIB response.**

Conclusion

13. At 5.1, The investigator makes reference to lack of passage planning, Passengers were informed of the length of the journey and some passengers requested and were shown a map of the proposed journey, prior to boarding. This map is adjacent to Reen Pier. These facts should be included in the report and the final line " Passage planning had not been carried out for the entire route of the voyage" is grossly prejudicial and should be deleted.
14. At 5.2, The vessel was found suitable to hold a P2 Licence by the MSO. The comments of the investigator imply that the vessel was negligently overloaded, yet she is licensed by the MSO to carry 12 passengers and 12 bikes. Determination and review of minimum freeboard in the fully loaded condition is a matter for the MSO. This paragraph is prejudicial and should be deleted.
15. At 5.4, The calls for assistance to surrounding boats was successful. Emergency Radio coverage is not effective on the lakes and there has been no MSO survey requirement for the vessels in Lough Leane to carry VHF Radio.
16. At 5.5, this requires clarification, the investigator states the waterbus was aware of the situation and directed another boat to assist. But this leaves the unanswered question as to why the waterbus did not come to the aid of a vessel in distress.
17. At 5.6, this had been addressed at 4.12.
18. At 5.7, this has been addressed at 4.9.
19. I wish to state and have recorded in this report, that every person on board my boat, including myself was in possession of a mobile phone and not one person was able to use it to call for assistance. This clearly demonstrates the speed of the sinking and points to a spontaneous event rather than a slowly developing one. I believe that it also supports my description of a rogue wave striking the boat and swamping us, leading to the emergency situation that unfolded.

**MCIB RESPONSE:**  
 Passage planning is a procedure to develop a complete description of a vessel's voyage from start to finish.

**MCIB RESPONSE:** It is noted in the report that the vessel held a P2 Licence, notwithstanding this, it is at all times the responsibility of the Master to ensure the safety of the passengers, crew and the vessel. The point made at 5.2 is in relation to the loading of the vessel for this particular passage and the prevailing conditions. Please note the Safety Recommendation 6.3 in relation to licencing requirements. No amendments have been made to the report.

**MCIB RESPONSE:**  
 Please see Safety Recommendation 6.2 and 6.4.

**MCIB RESPONSE:**  
 Clarification has been provided at 3.6.

**MCIB RESPONSE:** See response to point 12.

**MCIB RESPONSE:** 5.7 has been amended.

**MCIB RESPONSE:**  
 Please see responses above.

## CORRESPONDENCE 8.2

Correspondence 8.2 Owner and MCIB response.

26<sup>th</sup> day of May, 2017

[REDACTED]  
Secretariat,  
Marine Causality Investigation Board,  
Leeson Lane,  
Dublin 2.

Your Reference: MCIB/12/264  
Draft Report in to an Incident on the Lakes of Killarney, Co. Kerry – 1<sup>st</sup> of September, 2016

---

[REDACTED]  
Further to yours of the 2<sup>nd</sup> inst. with Draft Report enclosed I now enclose herewith my own submissions and observations relative to said draft Report and should be obliged to you incorporating same in the final Report.

Please acknowledge receipt.

Kind Regards,

Yours sincerely,

[REDACTED]

Correspondence 8.2 Owner and MCIB response.

**BOAT OWNERS REPLY TO DRAFT REPORT INTO AN INCIDENT  
ON THE LAKES OF KILLARNEY, CO KERRY  
1<sup>ST</sup> OF SEPTEMBER, 2016**

I, [REDACTED] and the licensed operator of "PV Mary Anne of Dunloe" hereby make the following comments and observations relative to the Draft Report prepared by the Marine Casualty Investigation Board Reference MCIB/12/264:

I feel it is important that you accentuate the **positives** namely:

1. A) There was no loss of life and serious injury  
B) All passengers on board my vessel were wearing life jackets which were provided and donned before departure...see paragraph 3.1
2. The Master advised passengers to grab hold of the boat when they fell into the water. This was sound solid advice delivered in an emergency situation by boatmen and contributed to their safe rescue.
3. The Master is a native of Killarney and is a third/fourth generation boatman and fisherman with an intimate knowledge of the Lakes of Killarney.
4. My Vessel was equipped with the appropriate timber construction and buoyancy arrangements which ensured that the vessel did not sink ...see paragraph 3.7
5. Three of my boats, including the "PV Mary Anne of Dunloe" departed Reen Peer that morning in relatively close proximity. Hence when the incident occurred my other two vessels were in close proximity and convoy and were able to come to the aid and assistance of the passengers.

It is the practice for my boats to set out in "convoy like fashion" so that they are seldom isolated from each other.

6. The weather conditions were favourable and calm when the boat departed as can be seen in photograph number 3 appendix 7.1
7. The "PV Mary Anne of Dunloe" was built in 2004 under MSO Survey and at the time had a current P2 passenger boat licence for the carriage of 12 passengers and two crew on the 23<sup>rd</sup> of September, 2016. The Licence was issued by the Marine Survey Office.

The Vessel also held a permit to operate in the Lakes of Killarney and was licensed to carry up to 12 bicycles in addition to passengers and crew.

As stated it was fully and properly equipped with timber construction and buoyancy arrangements.

**MCIB RESPONSE:**  
The MCIB notes comments 1-5.

**MCIB RESPONSE:**  
The MCIB notes this comment and refers to 2.4, 4.4, 4.6, 4.12 and 5.1.

**MCIB RESPONSE:**  
The MCIB notes this comment and refers to Safety Recommendation 6.3.

## Correspondence 8.2 Owner and MCIB response.

8. *As soon as I received a report of the incident I notified [REDACTED] the Department of the Marine and made my way immediately to Ross Castle where I could be of assistance to the passengers and all concerned.*
9. *The Vessel was equipped with a pump which was operational and was used on the day to pump out water.*
10. *On the day in question lifebuoys were on the boat and were accessible and were used by two passengers.*
11. *The boat was not overloaded with additional luggage and bikes. At the time there were 4 bikes on the boat and as stated the boat was equipped to carry up to 12 bikes.*
12. *The Master held all the appropriate qualifications and complied with all the criteria for a passenger boat commercial endorsement and he now has obtained same.*  
  
*Further at the time he met all criteria for operating a passenger boat in the Lakes of Killarney.*
13. *I, and the Master of the relevant vessel and the Masters of my other two boats which came to the rescue all cooperated with this investigation and met with the Investigator and Representatives of the Investigating Body.*

*I feel it is important to highlight the above as sufficient emphasis has not been placed on those aspects which reflect me and the Master in a more positive light.*

*In this regard I refer you to Section 25(2) of the Merchant Shipping (Investigation of Marine Casualties) Act 2000 which states "It shall not be the purpose of an investigation to attribute blame or fault".*

*I submit that the wording of the Draft Report is framed in such a way as to indicate fault on my part and/or on that of the Master.*

**MCIB RESPONSE:**  
The MCIB notes the contents of this observation.

**MCIB RESPONSE:**  
Please refer to 3.5 and 4.5.

**MCIB RESPONSE:**  
The MCIB notes this comment and refers to 3.10.

**MCIB RESPONSE:**  
Please refer to 4.11.

**MCIB RESPONSE:**  
Please see 4.13 and 5.6.

**MCIB RESPONSE:**  
The MCIB notes this comment.

**MCIB RESPONSE:** The purpose of the MCIB report is not to attribute blame or fault, Section 35 of the Merchant Shipping Act, 2000 states:

- (2) having regard to Section 25, if the investigator succeeds in establishing the cause or causes or probable cause or causes of the marine casualty, the report shall indicate it or them.
- (3) Having regard to section 25, the report shall outline any recommendations the Board considers to be warranted and feasible for the avoidance of similar marine casualties.
- (4) Although it shall not be the purpose of the report to attribute blame or fault, section 25 shall not prevent the reporting of relevant findings of an investigator in accordance with subsection (1), the indicating of the cause or causes or probable cause or causes of the casualty in accordance with subsection (2) or the making of recommendations in accordance with subsection (3), of this section.



Correspondence 8.2 Owner and MCIB response.

*In this regard I wish to make the following points hereunder:*

*2.1 Should specifically say that the Vehicle was built in 2004 under MSO Survey and held a current P2 passenger boat licence to carry 12 passengers, 2 crew and equipment including 12 bicycles.*

*1.2 Should reflect the fact that the vessel was hit by a rogue or freak wave and this is what caused the boat to become swamped.*

*1.3 Should expressly state that there was no loss of life and serious injury.*

*1.4 Should expressly state that Met Eireann do not provide weather forecast for inland lakes such as Lough Lein.*

*1.3 There is a clear conflict in the meaning of the words "Spray" and "To Ship". The latter suggests large quantities as opposed to the former and the expression "which the boat was beginning to ship" conveys an adverse image from my point of view.*

*1.4 Again the contents are prejudicial. It is disputed that the vessel was "shipping copious amounts of water" and I question the veracity of the statement "as if someone was throwing buckets of cold water over them" and the use of a hearsay phrase such as this is very prejudicial to me.*

*1.5 The vessel was hit by a rogue or freak wave and following this the Master decided to turn the vessel around.*

*1.6 The Master reacted to the emergency by advising passengers to hold onto the boat when they were tipped into the water. See point previously made in this regard. It is noted that attempts were made to attract the attention of a nearby waterbus which did not stop. This is a comparatively large vessel with a closed roof.*

*The Draft Report does not reflect the fact there is no full time water rescue service operating on the Lakes. The local rescue service is voluntary and it is safe to assume that none of the volunteers were on the Lake or nearby at the time of the incident. It is unfair and prejudicial to say the Master did not raise any alarm without incorporating reference to the preceding paragraph. Further the Master acted wisely*

**MCIB RESPONSE:**  
 Please refer to 3.5, 4.4 and 4.5.

**MCIB RESPONSE:**  
 The MCIB notes the contents of these observations.

**MCIB RESPONSE:**  
 See response above.

## Correspondence 8.2 Owner and MCIB response.

*and diligently as soon as the emergency was created and it should be emphasised that there was no loss of life and serious injury.*

*Further the draft Report is prejudicial in that it does not mention the fact that 2 sister boats of the PV Mary Anne of Dunloe were in close proximity and returned to administer assistance and again rescued the Master and its passengers. It is noted that the waterbus did not stop and was in very close proximity to the PV Mary of Dunloe at the time of the incident.*

*As stated a third passenger vessel arrived at the scene and took on board passengers which had been in my second boat and did not receive passengers directly from the Mary of Dunloe.*

*It should be noted from the above that there were 3 passenger boats in close proximity to the PV Mary of Dunloe when the incident occurred as well as a waterbus. Subsequently vessels continued to operate on Lough Lein that same day and this is consistent with the Master's claim that the cause of the incident was a freak or rogue wave.*

**4.1** *Serious issue is taken with this paragraph. The PV Mary Anne of Dunloe was built under MOS Survey using traditional crafts. Her stability was assessed at that time in relation to swamping requirements and buoyancy and she was permitted to carry 12 passengers and 12 bicycles. Any record of testing must be in the hands of the MSO. Any ongoing review or stability or swamping should have been raised by the MSO. The vessel was a traditionally built vessel of traditional design with adjustments and design necessary for the issue of a P2 Passenger Boat Licence.*

**4.4** *The vessel did not encounter "green seas as the voyage progressed" The vessel encountered a rogue wave or freak wave which flowed over the bow of the boat.*

**4.6** *I refer to my comments above relative to the absence of an emergency service. What efforts were made by the Investigator to make contact with the emergency service and ascertain their availability to respond to an emergency on the date of the incident.*

*There were no such emergency services on the lake or in close proximity at the time. This should be stated in the Report and an omission to do so allied with paragraph 4.6 is highly prejudicial to my position.*

*The Master had very little time to react when presented with the emergency but as stated he reacted in a proper manner and 2 sister vessels and a third vessel came to his assistance resulting in no loss of life and serious injury.*

**4.7** *I believe there is no emergency radio coverage on Lough Lein and there is no MOS requirement for vessels in Lough Lein to have VHF Radio.*

**MCIB RESPONSE:**  
Please refer to 3.4, 3.5, 3.6, 3.7, 4.4, 4.5, 4.7, 4.8, 4.12, 5.1 and 5.4.

**MCIB RESPONSE:**  
Please refer to 3.6, 3.9, 3.10, 3.11, 3.12 and 3.13.

**MCIB RESPONSE:**  
Please refer to Safety Recommendation 6.3 which addresses this issue.

**MCIB RESPONSE:**  
See above.

**MCIB RESPONSE:** It is noted that there are no emergency services on the lake.

**MCIB RESPONSE:**  
See response at 1.6.

**MCIB RESPONSE:**  
See Safety Recommendation 6.2

Correspondence 8.2 Owner and MCIB response.

4.8 *All passenger vessels of this size are fitted with a 20 HP Outboard Engine and an 8 HP Engine would not be suitable to carry vessels of this size.*

4.9 *Lifebuoys were available. It should also be noted as previously stated that 2 of the passengers on the PV Mary Anne of Dunloe were wearing Lifebuoys.*

4.10 *The estimates of weight are clearly incorrect. The 4 bikes in the vessel at the time of the incident were hired bikes from 2 local businesses. Some of these are clearly visible in photograph 3 appendix 7.1.*

*Their weight is 11/14kg per bike.*

*It undermines the credibility of the investigation that no attempt or effort was made to source the hirer of the bikes and weigh these bikes. It is highly prejudicial to my position to state that these bikes weighed 20kg each when in fact they weigh much less and this could have been easily determined by contacting the local bike hire companies in Killarney.*

4.12 *Again I repeat that the Master has made his own submissions but it should be stated that he possessed all the criteria for a passenger boat commercial endorsement at the time.*

**MCIB RESPONSE:**  
 The MCIB notes this comment.

**MCIB RESPONSE:**  
 See response above.

**MCIB RESPONSE:**  
 The research carried out and the evidence collected during the investigation indicates an average weight of a loaded touring bike is 20kg.

**MCIB RESPONSE:**  
 4.13 (previously 4.12) is a statement of fact and no amendment has been made to the report.

## Correspondence 8.2 Owner and MCIB response.

1.1 *Weather conditions were calm when departing - see photograph number 3 appendix 7(1). Also Master discussed the journey with passengers before departure.*

**MCIB RESPONSE:**  
See response to same point above.

1.2 *The vessel was equipped and licensed to carry 12 passengers, 2 crew members and up to 12 bicycles. It was approved and fully tested by the Marine Survey Office. Consequently condition number 5.2 is extremely prejudicial to me in that it conveys the impression that the vessel was overloaded.*

**MCIB RESPONSE:**  
See response to same point above.

1.3 ...

1.4 *Emergency Radio coverage is not effective on Lough Lein. I refer to my previous comments relative to the rescue services. A MAYDAY alert or call would not have accelerated the rescue operation and my two sister vessels and a third party vessel were in close proximity and arrived in time to effect a proper and safe rescue. Further as previously stated the Master acted diligently and properly in the circumstances and managed to maintain calm control in circumstances where there could have been panic with disastrous consequences as is often the case in similar situations.*

**MCIB RESPONSE:**  
See response to same point above.

**MCIB RESPONSE:**  
See response to same point above.

1.5 *It is speculation as to how the rescue craft were notified of the emergency but the reality is that two of the rescue craft were my sister vessels which were in sufficient proximity to come to the aid of the PV Mary of Dunloe and render safe and effective assistance.*

**MCIB RESPONSE:**  
See response to same point above.

1.6 *As previously stated the Master had all the necessary criteria to obtain such a commercial endorsement and now possesses one.*

**MCIB RESPONSE:** It is noted in the report that passengers were provided with lifejackets, see 3.1.

1.7 *This Statement is highly prejudicial and factually incorrect. Each and every one of the passengers and the Master was equipped with a life jacket which was donned before departure. Further two of the passengers were wearing Lifebuoys when rescued.*

**MCIB RESPONSE:**  
See response above quoting Merchant Shipping Act 2000.

*For the reasons outlined above I take issue with the "slant" of the Report which is prejudicial and does not reflect an accurate picture of what transpired and does not present an accurate picture of my operation, my personnel, my vessels and equipment.*

*In summary my vessel was fully approved by the MSO, fully and properly equipped in accordance with requirements and carrying the correct and legal number of passengers and cargo. It was manned by an experienced boat man who when encountered with an emergency managed to bring, with the assistance of rescue craft, all his passengers to safety without loss of life or serious injury.*

**MCIB RESPONSE:**  
Noted, see responses above and to other Natural Justice correspondence.

Correspondence 8.2 Owner and MCIB response.

*The Draft Report does not indicate how extensive or comprehensive the investigation was nor does it indicate or identify the sources for many of the Statements made by it, some of which as proved herein are incorrect.*

*I would ask that you take serious heed of the contents and that same be reflected in your final Report.*


*I am aware that the Master has also submitted his observations and I would ask that you also take same into account.*

*Yours sincerely,*


A solid black rectangular box redacting the signature of the sender.

## CORRESPONDENCE 8.3

### Correspondence 8.3 Dept. of Arts, Heritage, Regional, Rural and Gaeltacht Affairs and MCIB response.

 *An Roinn Ealaíon, Oidhreachta,  
Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta*  
*Department of Arts, Heritage,  
Regional, Rural and Gaeltacht Affairs*

Marine Casualty Investigation Board  
Leeson Lane  
Dublin 2



30 May 2017

**Re: Draft Report into incident on the Lakes of Killarney, Co. Kerry, 01 September 2016.**

A Chara,

I refer to your letter to your letter to [REDACTED] dated 02 May 2017 regarding the investigation that MCIB carried out into an incident on the Lakes of Killarney, Co. Kerry on 01<sup>st</sup> September 2016.

In relation to the Safety Recommendations (at part 6), Parks and Reserves Unit accept all of the recommendations, including that NPWS permits should require the boat operators to have operating VHF radios on board going forward.

I note the conclusions reached in section 5 of the report. I would however like to make the following observations that relate to the references to the weather buoy and the horse power of the outboard engines:

- In relation to the weather buoy and section 4.9 of your report, please note that the buoy was placed in situ on Lough Leane by a third level institution (with permission from NPWS) for scientific purposes, it was never intended to be a safety device.
- In relation to engine size in section 4.8 - it is my understanding that when the 8HP limit was set the engines were mostly two-stroke engines and that the 12HP and 15HP engines would have been much louder. Over time, the design and quality of engines has improved and now most engines are four stroke engines and are much quieter than the older two stroke engines.
- For operational and health and safety purposes it is felt that the more powerful 20HP engines are required on the lakes, to be able to negotiate the rapids at the Old Weir Bridge and to respond effectively and safely, as required in the event of weather changes. NPWS will instigate a review into its policy in relation to the size of engines permitted on the lakes. The review will balance the operational safety requirements of the boat operators and our requirements to limit noise levels and maintain a sense of tranquillity on the lakes.

I would like to take this opportunity to thank your officials for their continued cooperation with the NPWS and look forward to the final draft of the report.

[REDACTED]

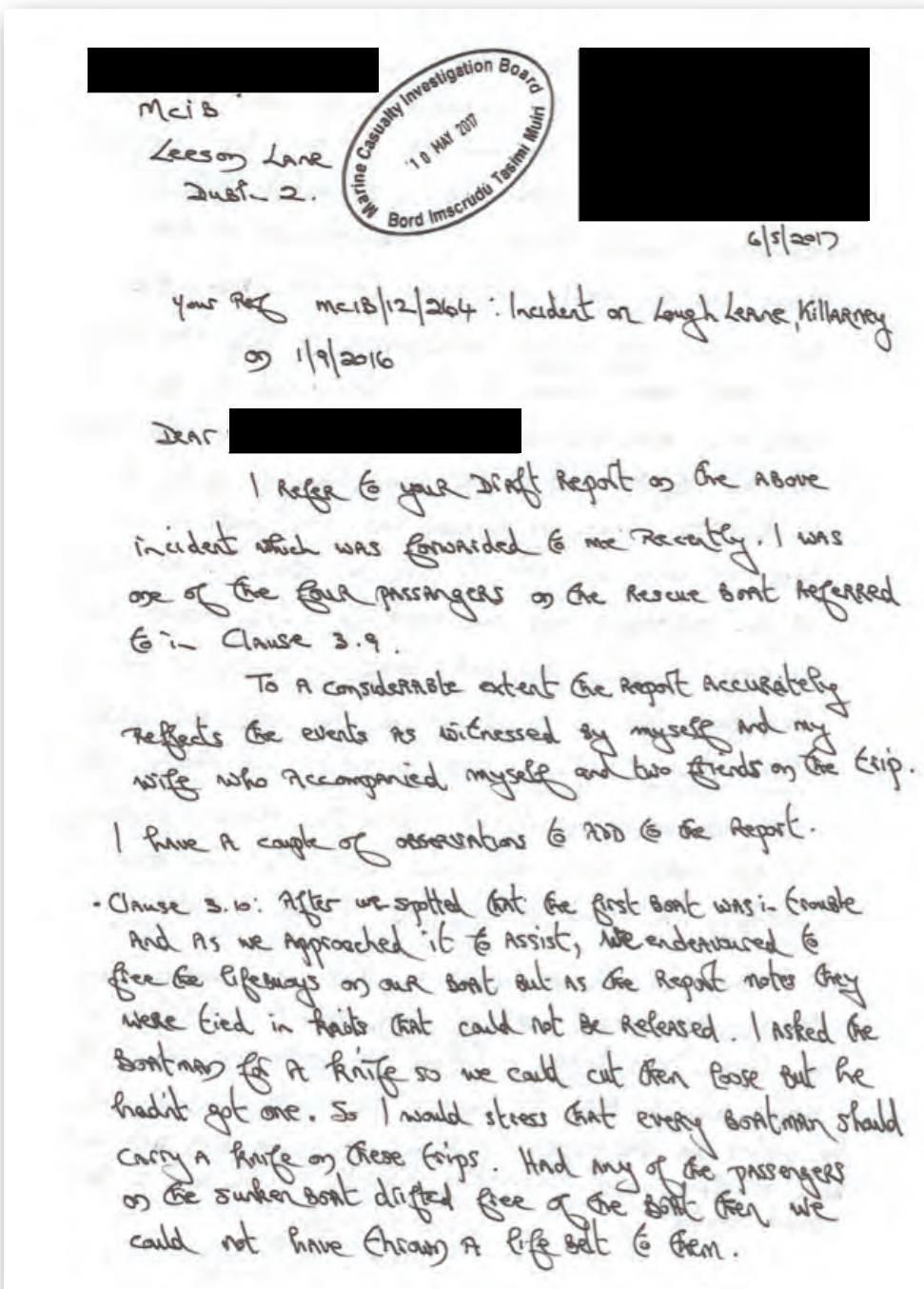
Parks & Reserves Unit, NPWS  
Ely Place  
Dublin 2

**MCIB RESPONSE:** The MCIB notes the contents of this observation.

**MCIB RESPONSE:** The MCIB notes the contents of this observation.

**MCIB RESPONSE:** The MCIB notes the contents of this observation.

Correspondence 8.4 Witness and MCIB response.




**MCIB RESPONSE:**  
The MCIB notes the contents of this observation.

## Correspondence 8.4 Witness and MCIB response.

Clause 5.5: This states that our rescue boat was made aware of the situation by the water bus. This was not the case. We saw the stricken boat very low in the water from a distance of c. 500 metres and we immediately headed towards it. The water bus at that stage was only about 200 metres from the sinking boat but made no effort whatsoever to help even though it was much nearer to it. We passed by the water bus and reached the people in trouble who were all out of the boat at that stage hanging on to it in distress. Since we already had five people on our boat we were only able to pull out about six or seven of the passengers onto our boat for safety reasons. This process I would say took about 10 minutes in total. Throughout this 10 minute period the water bus made no attempt whatsoever to help. Fortunately, just as we were about to inform the remaining passengers in the water that we could not take any more on board the second rescue boat arrived to help.

One final comment would be that the boatman on the stricken vessel was of great help to myself and my friend Denis Byrne in lifting the passengers out of the water onto our boat. He got in to the water himself and he pushed the passengers up while we pulled them onto our boat as they were extremely difficult to lift due to their "dead weight".

Yours sincerely,  


MCIB RESPONSE: See 3.6 and 3.9 for sequence of events in relation to the waterbus and the vessels which came to the aid of the 'PV Mary Ann of Dunloe'.



Correspondence 8.5 Witness and MCIB response.

Marine Casualty Investigator,  
 Leeson Lane, D. 2.

15/05/17.

Re: Draft Report into Lakes of Killarney Incident. 1/09/16.

This Report, overall, is a fair & accurate description of the incident.

I was one of five people - including Master - who were first to notice the passengers in the water, first on the scene & pulled eight people out of the water into our Boat.

This Draft does not reflect how sudden the weather changed - from relative calm to extreme turbulence in less than 10 minutes.

- Both our Boats left Ross Castle together.
- 12 plus luggage (Bicycles) in one Boat & only 4 passengers plus Master in our Boat.
- Why was the load not more evenly distributed?
- In my opinion these type of Boats are not suitable for this type of activity.

I doubt, very much, that this was a once off occurrence.

Sincerely,

Marine Casualty Investigation Board  
 16 MAY 2017  
 Bord Imscrúdú Tasimí Muiri

**MCIB RESPONSE:**  
 The MCIB notes the contents of this observation.

## CORRESPONDENCE 8.6

### Correspondence 8.6 Witness and MCIB response

[REDACTED]  
9<sup>th</sup> May 2017.

Dear [REDACTED]

I want to thank you for the opportunity to respond to the draft report into the incident on Killarney Lakes on the 1<sup>st</sup> September 2016.

May I say that myself and the other boatmen have this incident discussed at length prior to receiving this draft.

I would like to make some observations. The boat in question, is one of five such boats operating on the lakes of Killarney. All are owned by the same person. The boatmen have always been commenting on the insufficient freeboard of these boats and the positioning of passengers, which appears to keep the bow low in the water.

I would like to stress on the day of the incident and at approx. the same time, there were eight other boats crossed the lake without incident. While these boats are all 25 foot open boats they have a higher freeboard and the boatmen in these boats positioned their passengers with regard to the conditions. We have been using mobile phones for over 20 years on the lakes and these have always proved suitable. Communication via mobile phone has never been an issue and I do not accept your view that this is an unreliable method of communication. Finally, in relation to engine size, I totally disagree with your view that this should be reduced. When eight horse power engines were introduced the boats were different, lighter and did not carry additional safety equipment. While most boatmen are using 20 horse power engines, some are used responsibly. The additional horsepower is required for the newer type boats and in particular for areas where we must travel against the flow of water such as Bricin Bridge, The Rustic Bridge, The Old Weir Bridge, Plumbers, The Eye and the Back Channel. After a day or night of heavy rain these areas are like funnels and with less power we would most likely fail to travel through.

I hope you will take my views onboard.

Yours,  
[REDACTED]



**MCIB RESPONSE:** The MCIB notes the contents of this observation.

**MCIB RESPONSE:** The MCIB notes this and has made Safety Recommendations 6.2 and 6.4.

**MCIB RESPONSE:** There is no Safety Recommendation made in regard to engine size.

Correspondence 8.7 Witness and MCIB response.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 30 May 2017 02:46  
**To:** Marine Casualty Investigation Board  
**Subject:** Acknowledgement of report MCIB/12/264

To whom it may concern,

I am responding to the draft report into the incident on the Lakes of Killarney, Co. Kerry, on September 1st 2016, reference MCIB/12/264. I appreciate that email is not the required method of correspondence, however I have only just received the report, as I no longer live in the UK. The address you have for me is my mum's address, though I now live in Melbourne, Australia. She received the report and has since forwarded it on to me, but there wasn't enough time to get a letter posted over to Ireland, and arrive before May 31st. Hopefully an email will suffice.

I have no comments or observations to offer for the final report. Should you need to contact me further, my details are as follows:

[REDACTED]

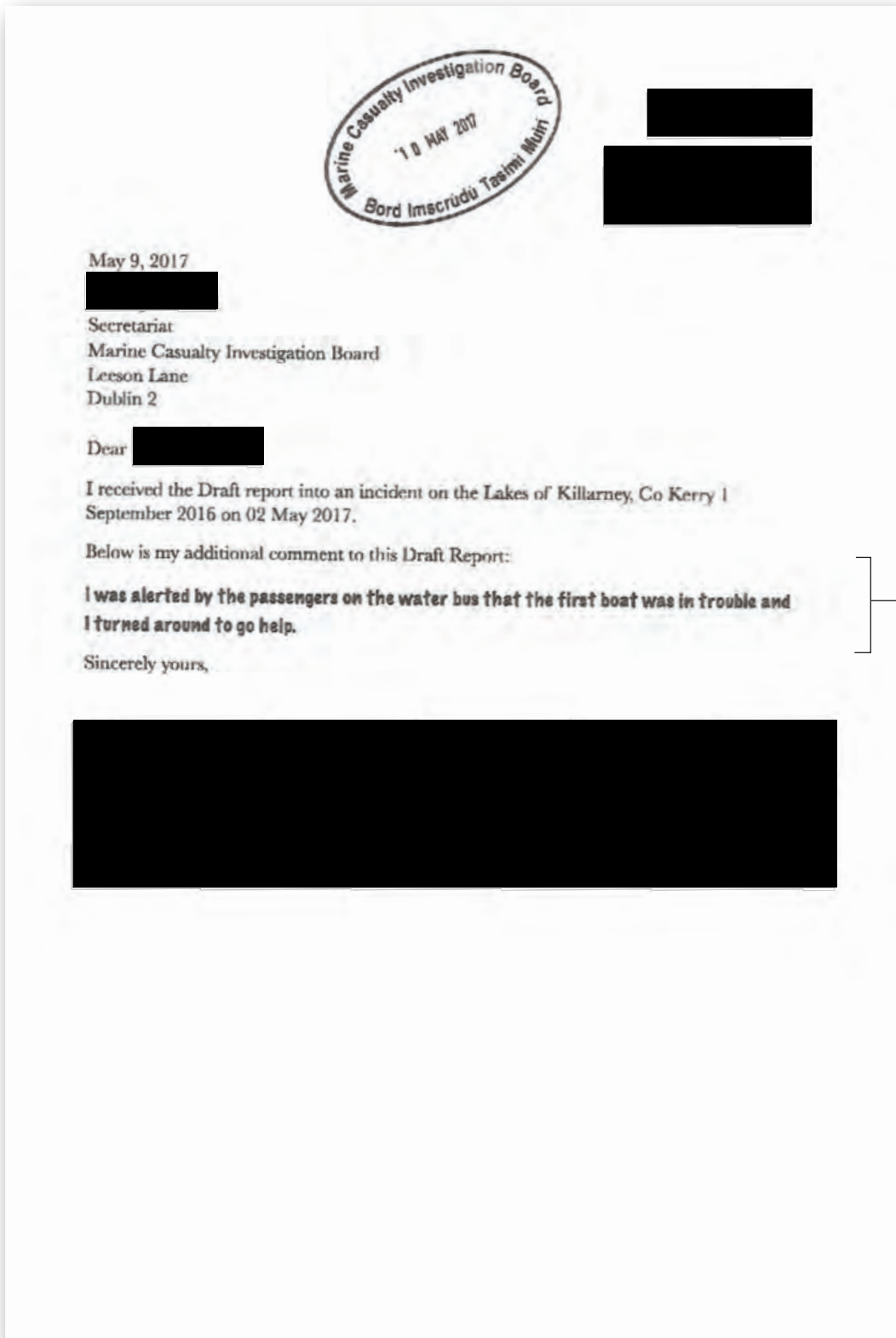
Many thanks,

[REDACTED]

**MCIB RESPONSE:**  
The MCIB notes the contents of this observation.

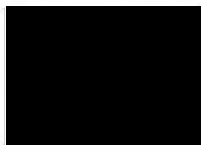
## CORRESPONDENCE 8.8

### Correspondence 8.8 Witness and MCIB response



**MCIB RESPONSE:** The MCIB notes the contents of this observation.

Correspondence 8.9 Witness and MCIB response.

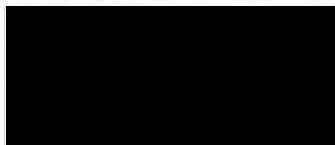


23.05.2017

MCIB/12/264

Draft report into an incident on the Lakes of Killarney, Co Kerry, 1 September 2016

Hereby I declare that I have no comments or observations to offer concerning the above-named report.

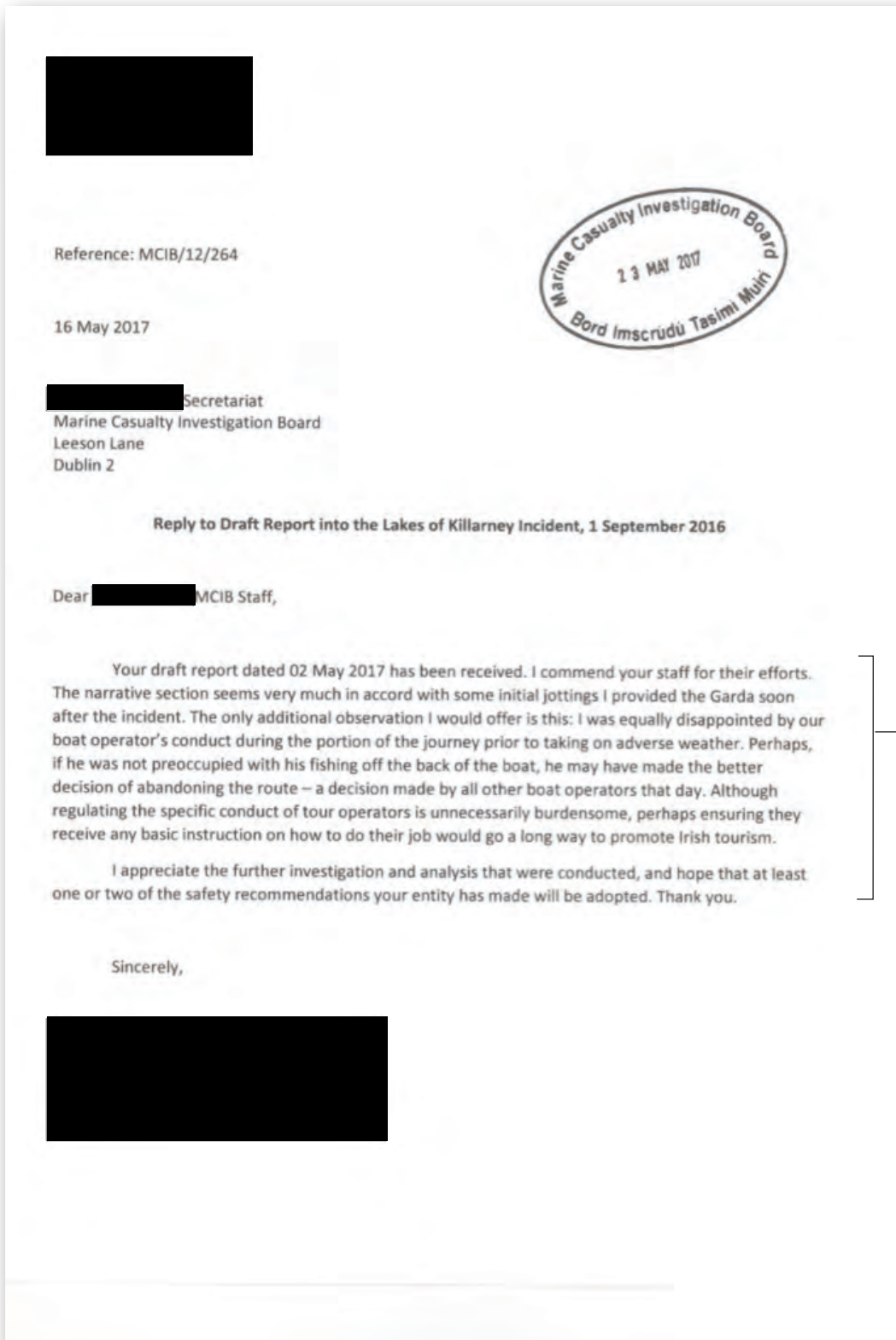


**MCIB RESPONSE:**  
The MCIB notes the contents of this observation.



## CORRESPONDENCE 8.10

### Correspondence 8.10 Witness and MCIB response.



Correspondence 8.11 Witness and MCIB response.



23.05.2017

MCIB/12/264  
Draft report into an incident on the Lakes of Killarney, Co Kerry, 1 September 2016

Hereby I declare that I have no comments or observations to offer concerning the above-named report.

**MCIB RESPONSE:**  
The MCIB notes the contents of this observation.















Leeson Lane, Dublin 2.  
Telephone: 01-678 3485/86.  
Fax: 01-678 3493.  
email: [info@mcib.ie](mailto:info@mcib.ie)  
[www.mcib.ie](http://www.mcib.ie)

