

A PLEASURE CRAFT AT DUNANY POINT, CO. LOUTH, ON 29th AUGUST, 1999 WITH

THE LOSS OF FOUR LIVES.

The Marine Casualty Investigation Board was established on the 5th, June 2002 under The Merchant Shipping (Investigation of Marine Casualties) Act 2000

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SYNOPSIS

1. SYNOPSIS.

1.1 At approximately 1500 hours on Sunday 29th August 1999 four adults and four children set out in a 15-foot fiberglass boat to go fishing about a half a mile off Dunany Point, Co. Louth. At approximately 1700 hrs the boat capsized resulting in the loss of four lives.





2. FACTUAL INFORMATION

2.1 Description of the boat

A fifteen-foot Fibreglass open deck boat with three seats. Orange gunwale and white hull. The boat had a forward removable canopy that was not in place on the day of the incident. The boat did not have a name.

The boat was purchased locally circa 1991 and was an "O Sullivan's Marine" boat similar in most respects to the present "O'Sullivan's Marine 15' Super Sar (OSM 460 Model)". The boat was not fitted with additional reserve buoyancy and did not have a EU Recreational Craft Marking. The exact age of the boat is not known, however "O'Sullivan's Marine" have been selling this model of boat in this country for about twenty years.

Engine: Mercury 7.5 Horsepower with portable fuel tank.

2.2 Owners of the boat:

Mr. John Russell, Mr. Richard Russell and Mr. Thomas Callaghan.

2.3 Persons aboard on day of incident:

1. John Russell,	37 Years,	Tullyallen,	Co. Louth.
2. James Russell,	69 Years,	Tullyallen,	Co. Louth
3. Stuart Callaghan,	20 Years,	Dunleer,	Co. Louth.
4. Gary Grant,	48 Years,	Dundalk,	Co. Louth
5. Sarah McGuinness,	10 Years,	Duleek,	Co. Meath
6. Maeve McGuinness,	12 Years,	Duleek	Co.Meath.
7. Paul Callaghan,	12 Years,	Ardee,	Co. Louth.
8. Tom Og Callaghan,	8 Years,	Ardee	Co. Louth

2.4 Equipment on the Boat on Departure:

Five buoyancy aids (Only four were recovered), 3 x Sowester and 1 x Sea buoy, all approximately 15 years old.

- 6 x Fishing Rods
- 2 x Fishboxes
- 1 x Bucket
- 2 Oars + Crutches
- 1 x anchor with no rope attached
- 1 x length of rope (50 60 feet long)
- 1 x Transistor Radio

EVENTS PRIOR

3. THE EVENTS PRIOR TO THE INCIDENT

- 3.1 On Sunday 29th August 1999 members of the Callaghan, Grant, McGuinness and Russell families decided to go fishing and the boat was launched from the beach at approximately 1500 hrs.
- 3.2 There were four adults and four children on board.
- 3.3 John Russell was part owner of the boat and was understood to be in charge of the vessel. John Russell was at the stern of the boat operating the engine.
- 3.4 According to John Russell, Stuart Callaghan had not been on the boat previously. Gary Grant stated that he had never been on a boat before and this was his first occasion to go to sea.
- 3.5 The boat was regularly used for recreational and fishing purposes and had been at sea the day before.
- 3.6 There was said to be five buoyancy aids on board but none were being worn. The buoyancy aids were stowed under the apron in the forward part of the boat. Gary Grant took a buoyancy aid out to protect himself from spray but did not don the lifejacket.
- 3.7 The day was fine and clear with a slight sea and low swell.
- 3.8 The vessel proceeded north along the coast towards Dunany Point.
- 3.9 Using fishing rods approximately thirty mackerel had been caught. The boat was drifting as the persons on board fished. It is estimated that the boat was about a half to one mile east south east of Dunany Point at this time.



4. THE INCIDENT.

4.1 It is understood that some persons decided to change places and that one of these persons stumbled and fell causing other persons on board to move and as a result the boat capsized causing everyone to be thrown into the sea.

EVENTS FOLLOWING

5. EVENTS FOLLOWING THE INCIDENT.

- When the boat capsized everyone ended up in the water. Sarah McGuinness, Maeve McGuinness and Gary Grant managed to reach and stay with the boat. Gary Grant is a non-swimmer and may have been assisted to the boat by Maeve McGuinness. All three managed with considerable difficulty to stay with the boat until they were rescued.
- Mr. James Russell apparently lost consciousness quite rapidly and Mr. John Russell had to give up assisting him to aid the rest of the persons in the water. After a while Mr. John Russell decided to try and reach the shore and commenced swimming in that direction.
- When John Russell set out for shore Stuart Callaghan and Tom Og Callaghan were understood to be trying to cling to a buoyancy aid at this time. (This may have been the buoyancy aid that Gary Grant took out from under the forward apron). Paul Callaghan was trying to stay afloat on his back.
- 5.4 The boat and the persons clinging to it started to drift away from the persons in the water. The buoyancy aids stowed under the forward apron may have given added buoyancy to the boat and helped it to remain afloat. Four buoyancy aids were retrieved from under the apron when the vessel was finally towed to port.
- 5.5 It took John Russell the best part of two hours to reach the shore.
- 5.6 At approximately 1830 hrs to 1835 hrs Mrs. Christine McGuiness telephoned the Irish Marine Emergency Service (IMES) as the family were getting worried that the boat had not returned on time. (see Irish Coast Guard's record of events at pages 22-24).
- 5.7 According to their records at 1845 hrs The Marine Rescue Coordination Centre in Dublin asked the IMES Coastal Unit at Clogherhead to search the coastline.
- 5.8 At 1855 hrs the Marine Rescue Coordination Centre tasked the IMES Search and Rescue Helicopter. The Helicopter was airborne by 1908 hrs.
- 5.9 The Marine Rescue Coordination Centre paged the Clogherhead Lifeboat at 1858 hrs.
- 5.10 At 1918 hrs the IMES Search and Rescue Helicopter '116' arrived on the scene and within a short space of time had winched Maeve McGuinness, Sarah McGuinness and Gary Grant onboard.
- 5.11 When Clogherhead lifeboat arrived on the scene they found and took on board the body of James Russell at approximately 1933 hrs. At 2012 hrs they located and took on board the body of Paul Callaghan. Attempts were made to resuscitate both persons without success.



EVENTS FOLLOWING

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- John Russell, though exhausted from his efforts to swim ashore elected to remain at the scene to assist in the search and rescue efforts by giving advice on the location of the tragedy. Gary Grant, Maeve McGuinness and Sarah McGuinness were taken to hospital in Drogheda but did not suffer any physical injuries but had apparent light hypothermia.
- 5.13 An extensive search was carried out over the following days by dedicated resources and volunteer groups as well as local and national organisations with expertise in search. The general public also assisted in an effort to locate the two missing persons, Stuart Callaghan and Tom Óg Callaghan. A member of the public found the body of Tom Óg Callaghan on the 8th September 1999 on Kilkeel Strand. The body of Stuart Callaghan was also found by a member of the public the following day the 9th September 1999 on the strand near Riverstown, Dundalk.

CONCLUSIONS

6. CONCLUSIONS AND FINDINGS.

- 6.1 The boat did not (and was not required to) comply with the EC Directive on Recreational Craft (94/25/EC). Being a relatively old boat it was built prior to the introduction of the EC Directive. The directive became mandatory in June 1998 and it requires that most new recreational craft and some secondhand craft, which are sold in any country in the EC, must comply with a number of safety requirements. The boat had no added buoyancy or appropriate means of flotation in the swamped condition. The current model being sold is fitted with additional buoyancy and complies with the EC Directive.
- 6.2 No one on the boat was wearing buoyancy aids when it capsized. There were only five buoyancy aids onboard for eight persons.
- 6.3 Persons using the boat did not usually wear buoyancy aids.
- 6.4 There was no means of communications on board. A waterproof hand held VHF used by a competent person to alert the Irish Marine Emergency Service would have reduced the time taken for a rescue to be effected.
- 6.5 There was no flares or other means of alerting other vessels or people on the shore that there was a distress situation.
- 6.6 There was no lifebuoy (life ring) on the boat. There were no rescue quoits with line on board.
- 6.7 There were eight persons on board the boat (four adults and four children).

 John Russell maintains that the boat had a freeboard of 12 to 18 inches prior to the tragedy and that there was no significant water in the bilge prior to the tragedy. The boat on examination after the tragedy appeared to be seaworthy in that it did not appear to be damaged or modified in any way.
- 6.8 According to John Russell, Stuart Callaghan had not been on the boat prior to the tragedy. According to Gary Grant this was his first time on a boat.
- 6.9 There is no restriction on any individual taking a recreational craft to sea in this country.
- 6.10 Common sense risk analysis was not carried out or not adhered to prior to this tragic voyage.
- 6.11 There was some criticism expressed by some relatives of the survivors and deceased in relation to the time taken for the emergency services to respond to the initial call to them. The Marine Rescue Coordination Centre (MRCC)





officially recorded the times of the events of the 29th August 1999. These records indicate that the Irish Marine Emergency Services effected a positive and systematic response to the tragic events. There are some slight discrepancies regarding the recorded times of the events. See Appendix II.

RECOMMENDATIONS

7. RECOMMENDATIONS

- 7.1 All recreational craft owners should inspect their boat on a regular basis and take into account advances in safety to ensure that the boat is safe, seaworthy and equipped appropriately.
- 7.2 An educational campaign should be directed at parents indicating to them that they have a responsibility to ensure that their children are aware and understand dangers associated with going to sea on recreational craft. The dangers of not wearing an approved buoyancy aid when on board a boat should be highlighted*. Parents should ensure that their children are instructed in the proper use of buoyancy aids and should wear them at all times.
 - * The Action Group on Small Leisure Craft recommends that the wearing of buoyancy aids for persons under the age of 16 be compulsory.
- 7.3 A culture of on board safety awareness should be promoted. There are a number of organisations that provide training in respect of water safety and boat safety. Persons of all ages should source basic training in respect of boat safety prior to going to sea on a recreational craft.
- 7.4 A competent person should check buoyancy aids at appropriate intervals to ensure that they are fit for use; manufacturers guidelines should be adhered to. Any person who is in charge of a recreational craft should ensure that there are sufficient approved buoyancy aids for the number of persons that the craft can safely carry.
- 7.5 Persons in charge of recreational craft should plan their voyage and assess the risks to the persons on board. Appropriate precautions should be taken prior to taking any craft to sea. Parents allowing their children to go to sea on a recreational craft should satisfy themselves that appropriate safety procedures and precautions are in place.
- 7.6 All recreational craft that go to sea should carry a waterproof portable VHF radio to enable communications with a station ashore. Persons owning a VHF Radio are required to possess a station licence and are required to be qualified.
- 7.7 All recreational craft that proceed to sea should carry appropriate in date pyrotechnics to alert nearby vessels or persons ashore if they are in difficulty.



APPENDICES

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8.	APPENDICES
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Weather report from Met Eireann



MET ÉIREANN

The Irish Meteorological Service

Glasnevin Hill, Dublin 9, Ireland. Cnoc Ghlas Naion, Baile Átha Cliath 9, Éire. Tel: +353-1-806 4200 Fax: +353-1-806 4247

Weather Report for the sea area just off Dunany Point, Co. Louth on the 29th August 1999 between 16 and 18 hours

General Situation

A westerly airflow covered Ireland

Details for the above area

Winds: West-north-west Force 3 to 4

Weather: Some rain and drizzle earlier had cleared away to dry, rather cloudy conditions with some sunshine.

Visibility: Good

Seastate: As there were no observations of seastate in the area, the calculated waves were Calm to SLIGHT composed mainly of a southerly Swell.



Copy of Letter to the Irish Times from the Director of the Irish Marine Emergency Services

The Editor

2 December 1999.

Sir

I refer to coverage, Irish Times, 25 November 1999, of the inquest into the tragedy at Dunany, Co Louth in which four people lost their lives.

The Irish Marine Emergency Service (IMES) is responsible for all marine search and rescue and pollution response in Ireland. In a marine emergency, IMES initiate and co-ordinate a response through the people, boats and aircraft, either of IMES, RNLI, Community Inshore Rescue Service, Naval Service and others who work with us as a team. We also actively promote safety on the water through media and public awareness campaigns in partnership with the Water Safety Association, the RNLI and other agencies.

In relation to reported criticism of the response of the Emergency Services following the Dunany incident, I quote from our records:

The first 999 call was made to the Marine Resour Co-Ordination Centre (MRCC) Dublin, at 6.35 p.m. and the vessel was reported "overdue" by 35 minutes. Information on location of the caller, the numbers and descriptions of people on board, what equipment was being carried, a description of the boat and a contact telephone number was sought. This call ended at 6.38 p.m.

Overdue vessel incidents are common and the vast majority of vessels involved are not in trouble. Nevertheless, acting on the phone call MRCC immediately (by 6.39 p.m.) asked all vessels in the area for information on any sighting of the overdue vessel. No vessel in the area reported a sighting.

At 6.42pm MRCC paged the IMES Coastal Unit at Clogherhead and at 6.45 p.m. tasked them to search the coastline. At 6.51pm, when responses to broadcasts to all vessels revealed no sightings of the overdue vessel, MRCC rang the original 999 caller again to ensure that no new information had enverged on scene, At 6.52 p.m. IMES again asked all vessels for information on sightings.

The IMES Coastal Unit arrived at the scene at 6.54 p.m. (within 9 minutes of being tasked) and MRCC received reports from the Unit, and other sources, of people in the water. At this time the incident changed from "overdue vessel" to "persons needing assistance", from an "uncertainty and alert" scenario to a "full distress" situation.

One minute after the confirmed report of people in the water the IMES Search and Rescue Helicopter was tasked by MRCC (6,55 p.m.), was airborne by 7.08 p.m., on scene at 7,18 p.m. and rescued 3 people. The Clogherhead Lifeboat was paged by MRCC at 6,58 p.m. immediately after tasking of the helicopter. The Lifeboat was underway at 7,18 p.m.

While the rescue services are open to constructive criticism, it is clear that the men and women on the rescue crews tasked for this mission were alroame or under way within their pre-declared response times. People were rescued by the services but sadty and regretfully others lost their lives. Our rescue crews sometimes have to face the distress of recovering those who have perished. This was one such time and unfortunately one will always be one too many.

Given our experience of harrowing tragedies such as the Dunary incident we would always offer our sincere sympathy to families who are shattered by these tragic events. These incidents all too often bring home the dangers of setting out to sea with insufficient or no life-saving and communications equipment. In this regard, I welcome the recommendation of the inquest jury that the wearing of lifejeckets should be compulsory. This was also recommended, for persons under the age of 16, in the recent interim report, of the Action Group on Small Leisure Craft established by the Minister for the Marine and Natural Resources, Dr Woods

People have a responsibility for their own safety in the first instance. All prudent seafarers know that surviving until rescue services reach them is a responsibility that must be addressed before setting off to sea. All vessels should carry communications and alerting equipment, (radio, distress signals etc.) and lifejackets should be worn at all times. A lifejacket can buy vital survival time in the water to enable the rescue services to reach you - it can make the difference between life and death. In this regard ity is worth remembering that nobody is a survivor until they are rescued.

Finally I would like to record my thanks to the staff at MRCC Dublin, and all the people and facilities who assisted IMES in this search, rescue and recovery operation.

Yours sincerely Capt Liam Kirwan, Director, Irish Marine Emergency Service.

CORRESPONDENCE

7. INDEX OF CORRESPONDENCE RECEIVED ON THE DRAFT REPORT AS CIRCULATED, INCLUDING THE MCIB RESPONSE

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Droffbola
Co South
28-7-2004.

To whom it concerns, having studied the draft report sent to me by MCIB. The only comment I have to make is that I still believe the response was not quick enough to the distress call. also to life boat should have been alerted quicker. While it would not have saved my brotter. I think one of the young people could have been

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thank you provided.	remain fer The	the se	to rvices Russell
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Rock Brook Cappoge Dunleer Co. Louth

Mr. Dick Heron Secretary Marine Casualty Investigation Board 29-31 Adelaide Road Dublin 2

28th July, 2003



Dear Mr. Heron,

In response to your letter dated 1st July, 2003, we would like to make a number of comments/observations on the Draft Report into the Capsize of a Pleasure Craft at Dunany Point, Co. Louth, on 29th August, 1999.

Comments/Observations:

- With reference to section 3.1 of the Draft Report, we would like to draw your attention to the omission of the Grant family from the list of families partaking in the fishing trip.
- With reference to section 5.13 of the Draft Report, we would like to mention that the body of Stuart Callaghan was also found by a member of the public.
- 3. With reference to section 6.11 of the Draft Report, we would like to point out that only <u>some</u> relatives of the survivors and deceased expressed some criticism of the time taken for the emergency services to respond to the initial call to them. The Draft Report seems to suggest that all relatives of the survivors and deceased expressed this criticism.
- 4. With reference to section 7 of the Draft Report, we believe strongly that one of the key recommendations of the Final Report should be that the wearing of buoyancy aids for <u>all persons</u> (regardless of age)

CONTD.

on Small Leisure Craft should be made compulsory. We note that the Action Group on Small Leisure Craft recommends that the wearing of buoyancy aids for persons under the age of 16 be compulsory. We welcome this recommendation but we believe it does not go far enough.

Finally, may we take this opportunity to once again record our thanks to the Irish Marine Emergency Service (IMES), and all the people, facilities and organisations who assisted IMES in the search, rescue and recovery operation at Dunany Point. We are indebted to them all. We would also like to thank the members of the Marine Casualty Investigation Board (MCIB) for all their time and efforts in drawing up this Draft Report.

Thanking you.

Yours sincerely,

Louis Callaghan

Leonard Callaghan





Irish Coast Guard





Mr Dick Heron

Secretary Marine Casualty Investigation Board 29/31 Adelaide Road Dublin 2.

13th Aug. 2003.

Re: MCIB/36 - Pleasure Craft at Dunany Point 29th Aug. 1999.

Dear Mr Heron,

Although full records were submitted by IRCG, (formerly IMES), to the investigation into the above incident as requested, the section in 5. Events Following the Incident of the Draft Report is selective and, gives an impression of inactivity at MRCC Dublin after the initial 999 call reporting the missing boat. The Draft does not reflect the level of response co-ordinated by MRCC Dublin. The staff working at MRCC Dublin are certificated Professional Merchant Navy Radio Officers. They receive specific/dedicated training for the role of SAR mission co-ordination after entry to the service. The Irish Coast Guard central computer times are checked daily. Accurate time logging is an essential element of the work carried out at MRCC Dublin and other rescue co-ordination centres.

The section commencing at 5.6 should be amended to include all the logged entries at MRCC Dublin. Please see a summary of these below:-

*All times shown are local times.

1835/1838 – 999 call from Christine McGuiness reporting concern for overdue 16ft boat with 8 persons on board. MRCC Dublin obtained a description of the boat and its occupants, departure point, intended fishing area, equipment on board, details of the 8 persons on board, and address and contact details of Christine McGuiness.

1839 - MRCC Dublin made an all stations broadcast to shipping in the area.

Department of Communications, Marine and Natural Resources, Leeson Lane, Dublin 2, Ireland. An Roinn Cumarsáide, Mara agus Acmhainní Nádúrtha, Lána Chill Mochargán, Baile Átha Cliath 2, Éire. Tel: +353 I 678 2324, Fax: +353 I 678 2269, Email: admin@irishcoastguard.ie



- 1840 The Menai II reported his position as 9 miles ENE of Dunany Point steering 350 degs and nil seen.
- 1840 MRCC Dublin telephoned the IMES Clogher Head Coastal Unit.
- 1842 MRCC Dublin paged the IMES Unit at Clogher Head.
- 1845 IMES Clogher Head was tasked to carry out a coastal search of the area.
- 1849 IMES Clogher Head reported starting search from Cruisetown to Roadstown.
- 1851 MRCC Dublin contacted Christine McGuiness who confirmed that there was a moderate wind off the land and that visibility was good. Ms McGuiness was asked to drive to Dunany Point and check the north side.
- 1852 MRCC Dublin made another all stations broadcast to shipping in the area.
- 1853 IMES Clogher Head was advised by MRCC Dublin that there were reports of persons in the water in the area.
- 1855 The IMES SAR helicopter based at Dublin Airport was tasked to the scene by MRCC Dublin.
- 1856 MRCC Dublin received a 999 call reporting someone swimming on the Big Strand.
- 1857 IMES Clogher Head reported due on scene in 1 minute.
- 1858 MRCC Dublin paged the RNLI Lifeboat at Clogher Head with a voice-over requesting contact MRCC.
- 1859 MRCC Dublin commenced emergency broadcasts on marine VHF radio.
- 1901 MRCC Dublin requested immediate launch of the Clogher Head Lifeboat.
- 1902 Emergency broadcast on VHF was updated.
- 1903 to 1905 MRCC Dublin continued calling Clogher Head Lifeboat Launch Authorities.
- 1906 MRCC Dublin made contact with Lifeboat Hon. Sec. and requested launch.
- 1908 Clogher Head was updated with details and confirmed launching.



P 3.

1908 - The SAR helicopter at Dublin Airport, Rescuel16, was airborne.

1914 - Rescuel 16 gave an ETA of 4 minutes.

1915 – Further contact was made with Mrs McGuiness who reported that her brother was wading and swimming out towards a dot in the water.

1918 - Clogher Head Lifeboat reported launched and underway to the scene.

It is felt that the above more accurately reflects the actual situation than the proposed wording in the draft in Section 5 from 5.6 to 5.10.

The qualifying remark contained in 5.7 "According to their records" gives the impression that there is some doubt about the time accuracy of Irish Coast Guard log keeping. It is requested that this qualification be removed from the draft due to the reference in Section 6.11 to criticism expressed by relatives concerning time taken for the emergency services to respond.

Yours sincerely,

SAR Operations Manager

IRCG HQ Tel 6782315 FAX 6628451

eamon.torpay@dcmnr.ie

MCIB Response to the Irish Coast Guard letter of 13th August, 2003

The MCIB does not see any reason to amend these paragraphs save for the amendments made in this Final Report.



ABBEY RO., DULEEK, Co. MEAKH. 10. 07. 03

Re: Dunamy Point Boating Accident.

Dear MR Heron,

I have rend the draft report.

I have withing to add, anything I had
to say was discussed at the ingrest.

Thanking you your yours faithfully be hastrie McGuinness





CONTD.



Old Mellifont Tullyallen Drogheda Co Louth 19/01/03

RE: Bouting Tradgedy 29/08/99

Dear MR HERRON,

Livish to confirm, that I have read the draft report on the incident which occurred at Dunary Point. (o Louth, involing a pleasure craft resulting in the loss of four lives,

I feel this report is

I feel this report is fuctual and am Sutisfied with its content.

yours Juitefully

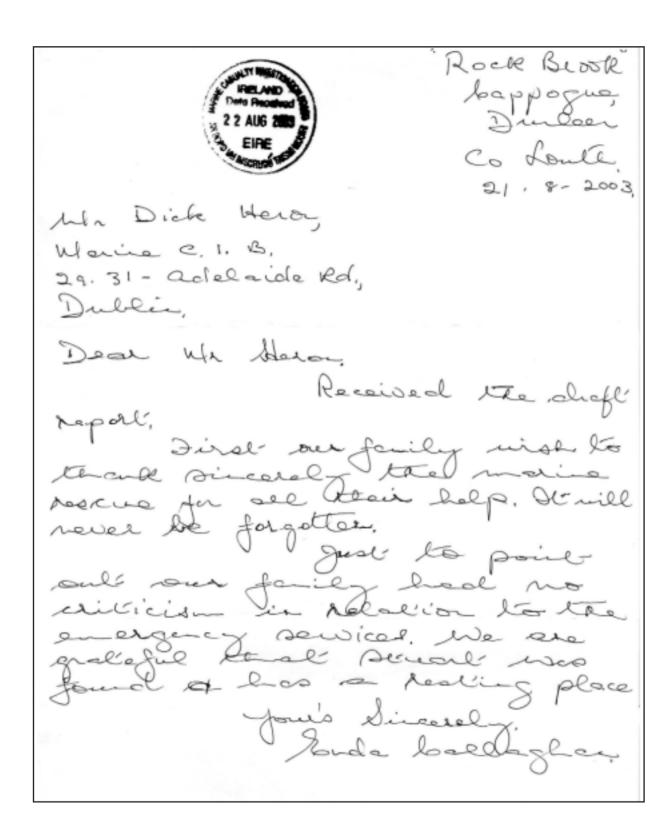
John Russell

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