



**REPORT OF THE
INVESTIGATION INTO
THE INCIDENT INVOLVING
A MAN OVERBOARD
FROM THE FISHING VESSEL
"JOHN MICHAEL" ON 12TH
FEBRUARY 2003.**

The Marine Casualty Investigation Board was established on the 23rd, May 2002 under The Merchant Shipping (Investigation of Marine Casualties) Act 2000

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1. SYNOPSIS.

- 1.1 The 12 metre fishing vessel "John Michael" left Fenit, Co. Kerry on the morning of 12th February 2003 for the fishing grounds south west of Loop Head to shoot gill nets. Three persons were on board, the skipper Mr. John Moriarty, his brother and crewmember Mr. William Moriarty and crewmember Mr. Anthony Dillane.
- 1.2 As the last of the nets and buoy rope was being shot over the stern of the vessel Mr. Anthony Dillane was seen to go over the stern of the vessel and into the water caught up in the buoy rope.

2. FACTUAL INFORMATION

2.1 Vessel Description

Name:	John Michael
O.N.	400967
Tonnage:	14.13 N.T.
Length:	11.77 metres
Breadth:	3.97 metres
Freeboard loaded	0.15 metres
Height of side	0.74 metres
Year of build:	1971
Material:	Wood
Build:	Carvel
Engine power:	73 kW

2.2 Vessel Type:

'Half decker' fishing vessel used primarily for pot fishing and gill net fishing. Fitted with one pot/net hauler. Working deck divided by pound boards. Extended side rails fitted with 'spray dodger' to prevent nets / pots falling overboard. Rail height 1.13 meters.

2.3 Safety equipment:

The vessel carried safety equipment in compliance with the regulations in force although some of the items on board were noted to have gone out of date. This would not have altered the outcome of the incident.

The vessel carried lifejackets and Personal Flotation Devices's (PFD) for every person onboard. These were not being worn at the time of the incident.

One 6-man SOLAS liferaft was carried.

The vessel did not have a first aid kit on board which complies with the European Communities (Minimum Safety and Health Requirements for improved Medical Treatment on Board Vessels) Regulations 1997. It is unlikely that this would have altered the outcome of the incident.

2.4 Radio Equipment:

A radio surveyor carried out an inspection of the radio equipment onboard. The installation had a number of deficiencies, however these would not have affected the outcome of the incident.

2.5 Manning:

The vessel had three persons on board at the time of the incident.

Skipper	Mr John J Moriarty Co Kerry
Age:	38
Qualifications:	Skipper Second Hand Limited
Experience:	The Skipper had been fishing for about 22 years, 18 of them on the "John Michael". He had been a member of the Fenit Lifeboat crew since 1994 and Coxswain of the lifeboat since July 2001. He was the local pilot for Fenit Harbour and had his pilots licence since about 1988. He was a swimmer and had certificates for underwater diving.
Crew #1	Mr William Moriarty Fenit, Co Kerry
Age:	35
Qualifications:	BIM Deckhand. First Aid. Basic Sea Survival.
Experience:	William Moriarty had been fishing for about 19 years on the "John Michael" with his brother as Skipper. He had been a crewmember of the Fenit Lifeboat since 1994. He was a swimmer.
Crew #2	Mr Anthony Dillane (Deceased) Fenit, Co Kerry
Qualifications:	No formal qualifications notified
Experience:	Anthony Dillane had been fishing for about 40 years and had been fishing with John Moriarty since he had the "John Michael". Mr. Dillane was a non-swimmer. Locally Mr. Dillane was known to be a very experienced and careful fisherman.

The vessel was manned adequately for the voyage being undertaken.

3. EVENTS PRIOR TO THE INCIDENT

- 3.1 The 11.77 metre fishing vessel "John Michael" left Fenit harbour just after 0900 hours on Wednesday 12th February 2003 with the Skipper and two crew on board. The vessel was headed out to the fishing grounds alone north of Loop Head with about 3 miles of gill net on board in three strings stored in the aft and midships pounds.
- 3.2 Each gill net consisted of net suspended from a buoyed headrope. A leaded footrope caused the net to hang down in the water. At each end of the net was a steel weight or sinker to which was attached a buoy rope leading to a marker buoy on the surface of the sea. The steel sinker weighed about 10-15 kg. The buoy rope was 12mm polypropylene rope.
- 3.3 This voyage was the first gill-netting voyage of the year for this vessel.
- 3.4 The vessel averages about seven knots and arrived at the fishing grounds at about 1200 hours.
- 3.5 The weather conditions locally were southerly winds of Force 3, dry with sunny spells, good visibility and significant wave height of 2.5 - 3 metres giving rough conditions.
- 3.6 Shooting of the first net commenced about 1200 hours in a water depth of about 65 metres.
- 3.7 The second net was finished with at about 1230 hours and shooting of the last net commenced.

THE INCIDENT

4. THE INCIDENT

- 4.1 With about 1/10 of a mile of net left to shoot of the last net the Skipper's attention was drawn to avoiding a drifting buoy which was trailing a rope. He was steering on a northeasterly course and then veered off to the north to avoid the buoy. He regained course having avoided the buoy and then, having noted that the nets were nearly shot, stopped the boat to let it drift allowing the remaining nets, the weight and the buoy rope to go over the side.
- 4.2 At this stage he noted down the vessels latitude and longitude in order that he would be able to locate the nets the following day.
- 4.3 At this time the Skipper heard his crewmember William shout that Anthony had gone over the side. As he turned he saw Anthony's legs go over the stern.
- 4.4 The marker buoy and trailing end of the rope were still onboard the vessel.
- 4.5 The Skipper ran to the stern rail at the same time instructing William to bring the vessel astern about 10 feet. He could see Anthony in the water and caught up in the buoy rope by his left hand. He made the buoy rope fast on the boat and jumped into the water over the port side.
- 4.6 When in the water he asked William for a knife and swam to Anthony who was by now about 8 feet away from the boat. He caught Anthony by his oilskins to lift his head clear of the water and cut the rope attached to Anthony's left hand, on the end attached to the weight. At this time the Skipper noticed that Anthony was frothing at the mouth.
- 4.7 As the weight was cut free the turn of rope around Anthony's hand was released and he started to sink.
- 4.8 The Skipper dived underwater about 4 feet and caught Anthony by the waist of his oilskins and managed to resurface with him.
- 4.9 By this time the "John Michael" had drifted down onto the two men in the water and William, who was onboard, passed a lifebuoy to the Skipper who was on the starboard side of the vessel.
- 4.10 The Skipper put the lifebuoy around Anthony and an effort was made to haul him onboard but he kept slipping out of the lifebuoy. Anthony did not appear to be conscious at this stage.
- 4.11 Billy had a lifejacket available for the Skipper if he required it at this time, however there was sufficient buoyancy in the lifebuoy for both men in the water and the Skipper was able to secure a rope around Anthony.

- 4.12 With difficulty and help from William, the Skipper managed to get himself back on board the vessel. It took the Skipper according to his account about 1 - 2 minutes to recover himself from the cold as he had been in the water. This is probably an overestimate of the time.
- 4.13 The Skipper managed to get another rope secured around Anthony's belt and using the net hauler the two men onboard managed to haul Anthony half way up the side of the vessel and roll him over the gunwhale and onto the deck.
- 4.14 The Skipper commenced CPR immediately and continued it until Anthony was winched aboard a Coast Guard helicopter some 40 minutes later.
- 4.15 The Skipper was unclear as to exactly when the Coast Guard was alerted to the incident but thinks that William probably called MRSC Valentia when Anthony was alongside the vessel in the water.

5. EVENTS FOLLOWING THE INCIDENT

- 5.1 Valentia MRSC received a man overboard call from the "John Michael" at 1259 hours requesting helicopter assistance. They reported that the man was onboard at that time and that they were 'working on him'. The weather was reported as 'very fine'.
- 5.2 The position was reported as 52.30N 010.08W, which placed the vessel west of Loop Head off the Clare coastline.
- 5.3 Communications from "John Michael" to Valentia were reported as being of poor quality.
- 5.4 A helicopter was tasked at 1300 hours and was in the air shortly after 1303 hours.
- 5.5 A request was sent to "John Michael" that the vessel proceed towards Loop Head. An ETA of 1340 hours was given to "John Michael" for the helicopter to arrive on scene.
- 5.6 The helicopter arrived on scene at 1334 hours.
- 5.7 The winchman took over CPR from Mr. John Moriarty and then winched Mr. Dillane onboard the helicopter.
- 5.8 The helicopter routed direct to University College Hospital, Galway with an ETA of 1420 hours.
- 5.9 According to the Coroners report Mr. Dillane was pronounced dead on arrival at the hospital. The Consultant Pathologist identified the cause of death as "Acute left ventricular failure due to ischaemic heart disease and hypertensive heart disease". There was no evidence of drowning and it is likely that Mr. Dillane was in a state of collapse due to cardiac arrest whilst shooting the last of the nets and was subsequently entangled in the buoy-rope and pulled overboard.
- 5.10 Following the incident the "John Michael" returned to Fenit. It was met en route by the Fenit Lifeboat, which had brought out dry clothes for Mr. John Moriarty.
- 5.11 Mr. John Moriarty was reported as suffering from mild hypothermia.

6. CONCLUSIONS AND FINDINGS

- 6.1 The coroners report states that Mr Dillane was already dead when he entered the water therefore there were no external contributing factors to the cause of death.
- 6.2 The Skipper's actions in entering the water were undoubtedly brave, however he should have attached a lifeline between himself and the boat before entering the water.
- 6.3 The Fishing Vessel (Personal Flotation Devices) Regulations, 2001 require that every person onboard a fishing vessel wears a suitable flotation device at all times. Neither the Skipper nor the crew were wearing lifejackets or personal flotation devices as required by the Fishing Vessel (Personal Flotation Devices) Regulations, 2001. Inflatable lifejackets were available on board.
- 6.4 The Skipper stated that if he had been wearing a lifejacket he felt that he would have been hampered in his efforts to retrieve Mr. Dillane from beneath the surface of the water.
- 6.5 It is likely that had Mr. Dillane been wearing a personal flotation device that he would have come to the surface instead of sinking when cut free of the rope.
- 6.6 The value of having on board an approved lifebuoy was demonstrated in this incident. An approved lifebuoy is one that complies with the SOLAS and Marine Equipment Directive standards. Among other things, an approved lifebuoy is capable of supporting two persons in the water.
- 6.7 The Skipper and crew of this particular fishing vessel were well trained and experienced in the recovery of persons from the water as members of the lifeboat crew. However without the aid of recovery equipment they experienced considerable difficulty in retrieving a body onboard their vessel even with a low freeboard and height of side.
- 6.8 The combined weight of the steel sinker, up to 60metres of leaded rope and the nets were sufficient to drag a grown man over the side of the vessel and fully clear of a side rail of 1.13m in height.

7. RECOMMENDATIONS

- 7.1 The Fishing Vessel (Personal Flotation Devices) Regulations, 2001 require that every person onboard a fishing vessel wears a suitable flotation device at all times. All persons onboard a fishing vessel must comply with the legislation in force. It is the Skipper's responsibility to ensure compliance. All Skippers are recommended to apply the legislation on their vessels.
- 7.2 Skippers and crews are recommended to give careful consideration to performing the recovery of a person in the water from onboard their vessels and if necessary to provide additional equipment to aid in the recovery of persons from the water such as overside ladders and recovery strops. Rescuers are not recommended to enter the water to effect rescue as they risk becoming a casualty themselves due to drowning or hypothermia.
- 7.3 Fishing vessels of greater than 12 metres are required to comply with the Merchant Shipping (Musters)(Fishing Vessels) Regulations, 1993. Skippers of all fishing vessels regardless of size are recommended to hold regular musters and safety drills of crew. Man overboard and recovery drills should be included.
- 7.4 Although Mr. Dillane was already in a state of collapse when dragged overboard, being caught in the bight of a rope is an ever-present hazard common to all fishing vessels and fishermen. Those working in such an environment are recommended to assess such a risk, reduce the risk where possible and to be aware that the combined weight of nets and weights can easily exceed that of a person.
- 7.5 The Maritime Safety Directorate is recommended to issue a Marine Notice advising fishermen and seafarers of this incident, the recommendations detailed above and to encourage compliance with legislation in the wearing of lifejackets and holding regular practice drills.
- 7.6 The Maritime Safety Directorate is recommended to issue a Marine Notice giving simple advice on carrying out a risk assessment on board fishing vessels and simple methods by which risks may be reduced.

8. APPENDICES

8.1: Photographs of the vessel.

APPENDIX 8.1

8.1: Photographs of the vessel.





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Irish Coast Guard
GARDA CÓSTA na hÉIREANN



Mr Dick Heron
Secretary
Marine Casualty Investigation Board
Department of Communications,
Marine & Natural Resources
Leeson Lane
Dublin 2.

28th Nov. 2003.

Re MCIB 69 Draft Report, man overboard from IFV John Michael 12th Feb 03.

Dear Mr Heron,

The Irish Coast Guard has no comment or observation to make concerning this report.

Yours sincerely,

Eamon Torney
SAR Operations Manager
IRCH HQ.

MCIB RESPONSE

The MCIB notes the contents of this letter.

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