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**REPORT ON FATALITY ARISING
FROM A CURRAGH INCIDENT
NEAR MacDARA'S ISLAND,
CO. GALWAY
ON
23rd APRIL 2012**

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**REPORT No. MCIB/215
(No.10 of 2013)**

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1. SUMMARY

Note: All times are in IST

- 1.1 On 23rd April 2012 the alarm was raised for a fisherman who was overdue near Carna, Co Galway. The resulting air and sea search found the fisherman's boat close to the shore of the Aran Islands and the man's body close to MacDara's Island Co Galway.

2. FACTUAL INFORMATION

2.1 The Vessel

Name:	Carraig Ainne
Type:	Open boat - undecked
Fishing No:	G 410
LOA:	6.15 m
Beam:	1.75 m
Depth:	0.50 m
Construction:	Wood, pine carvel on oak frames
Engine:	Yamaha 15hp Outboard Motor
Owner:	Mr Gerard Folan - date of birth: 17/01/1969

A certificate of compliance with the code of practice for fishing vessels of LOA less than 15m was issued on 3rd April 2009 and valid until 3rd April 2013.

Mr Folan had a fishing license for Polyvalent/general from 24th January 2008.

2.2. Contents of Vessel

12 volt battery in box

Garmin Fish finder 240

Boat hook

Mole grips & screwdriver (rusty)

Fuel tank for engine - ½ full about 11 litres

Spare fuel - about 5 litres

Grapple anchor with line

2 oars and thole pins

2 fishing lines

Bait for fishing (maggots) and bait for pots(fish heads)

A fish scale (for measuring size of fish & shellfish)

Pair of sea boots

Watertight container with flares & VHF

2.3. Voyage Particulars

Inshore fishing voyage from and to Dooyeher Pier near Carna, Co Galway to Deer Island and back to Dooyeher. Approximately 6-8 nautical mile round trip.

2.4. Marine Incident Information

Type:	Fatality - serious
Date:	23rd April 2012
Time:	21:34 UTC
Position:	Lat 53° 20'N - Long 010° 00'W
Weather:	North to North West winds force 3 to 5, with occasional showers
Sea State:	Slight to moderate mainly from Westerly direction
Tide Information:	High Water Galway 06:23 hrs and 18:34 hrs Range - Spring tides
Sunset:	Approximately 20:10 hrs UTC
Ship Operation:	Fishing
Place on Board:	Man lost overboard
Human Factors:	(1) Alone in vessel (2) Consumption of Alcohol (3) Not wearing PFD
Equipment Factor:	Outboard engine not fitted with kill cord
Consequences:	Fatality

2.5. Shore Authority Involvement and Emergency Response

Extract from situation reports from Valentia MRSC on 23rd and 24th April 2012:

23rd April

21:34 hrs - Report received of missing fisherman at rocks near Mace Head, Co Galway

21:38 hrs - Aran Island Lifeboat tasked

21:45 hrs - Coast Guard units tasked

21:50 hrs - Helicopter 115 tasked

21:51 hrs - Pan-Pan broadcast

00:56 hrs - 02:38 hrs - search units closed down - to resume search at first light

24th April

04:41 hrs - MFV 'OCEAN BREEZE' sights curragh matching description of missing vessel and takes it in tow

05:34 hrs - Air and sea searches resumed

06:35 hrs - Casualty vessel alongside at Rossaveel and handed over to Gardaí

10:59 hrs - MFV 'ARIANNE' sights body in water near MacDara's Island

11:44 hrs - Casualty transferred to Aran Island Lifeboat

12:44 hrs - Casualty ashore at Rossaveel and handed over to Gardaí

15:10 hrs - all rescue services back at base situation closed

15:10 hrs - all rescue services back at base Incident closed

Time from initial call to close down was 17hrs 36 min

3. NARRATIVE

- 3.1. At approximately 12:30 hrs on the 23rd April 2012, Gerard Folan, of Dooyeher, Carna, Co Galway, was dropped down to his curragh at Dooyeher Pier, Carna, by his father Joseph Folan. Gerard Folan told his father that he would phone him later. Gerard Folan put to sea in his open boat to go and check his lobster pots which were off Deer Island, west of Mace Head a distance of approximately 3 nm. Subsequent inspection of his boat found bait suitable for pots along with maggots and two fishing lines.
- 3.2. Another fisherman returning to Dooyeher pier observed Mr Folan heading towards Deer Island at approximately 13:00 hrs. Mr Folan was reported to be wearing black with no oilskin coat. This fisherman stated that the wind was picking up from the north.
- 3.3. The weather at the time was moderate North to North West winds force 3 to 5, with occasional showers. Sea state slight to moderate mainly from Westerly direction.
- 3.4. At 16:00 hrs Gerard Folan had not made contact with his father, who then went around the local piers to see if he had returned. He did not find his son.
- 3.5. At 21:34 hrs Clifden Coast Guard received a call from Gerard Folan's ex-wife expressing her concern that he had not returned. An air, land and sea search was initiated and the Gardaí were informed at 21:45 hrs. The Air-Sea search was closed down 02:38 hrs on 24th April and resumed at first light.
- 3.6. On 24th April at 04:41 hrs the MFV 'OCEAN BREEZE', making way westerly from Kilronan harbour to the fishing grounds north of the Aran Islands reported a sighting of a curragh drifting about a mile and a half north of Inis Mór at G.P.S Co-Ordinates; N 53° 10'.18 W 009° 47'.75. The Coast Guard tasked the 'OCEAN BREEZE' to bring the curragh to Rosaveel where it was handed over to the Gardaí. This curragh was later identified as being that of missing man Gerard Folan's by members of Mr Folan's family. There was no evidence of any catch from fishing/potting found in the boat on its recovery.
- 3.7. At approximately 11:00 hrs on 24th April a body was observed in the water off the coast of MacDara's Island off the coast of Carna. On discovery the body was observed to be clothed only in white shorts. The body was recovered and brought to Rossaveel by the Aran Island Lifeboat and transferred to University Hospital Galway. The body was subsequently identified as Mr Gerard Folan by his sister Mary Folan.
- 3.8. The post mortem found death was probably by drowning with elevated levels of ethanol a contributory factor. The toxicology report gave ethanol level in blood at 270 mg%

- 3.9. There were injuries to the body and these were considered to be post mortem and due to contact with the rocks on the shore.

4. ANALYSIS

- 4.1. The last sighting of Mr Folan was at 13:00 hrs on 23rd April 2012. He was about 3 miles from his intended fishing grounds off Deer Island. His ETA at Deer Island would have been approximately 13:45 hrs.
- 4.2. Mr Folan's boat was found at 04:41 hrs on the 24th April in a position close to Inis Mór. Inspection of the tidal streams during this time gives a net drift of approximately 2 miles to the east. Allowing for tidal drift and working back along a NNW track for average wind drift brings the origin point of the boat close to the east shore of Deer Island with an average rate of drift of 0.66 knots.
- 4.3. When Mr Folan's boat was recovered there was no evidence of a catch from pots or lines which indicates that Mr Folan parted company with his boat before he started fishing or potting and from the backtracking of the boat's path this happened close to the east shore of Deer Island.
- 4.4. The initial tidal drift was small and allowing the same rate of wind drift for Mr Folan shows he could have reached MacDara's Island in approximately 2½ hours. In reality his rate of drift would probably have been slower so this time could be extended to 4 to 5 hours.
- 4.5. The water temperature in April off Co. Galway would have been between 7°C and 10°C and the table in Appendix 7.4 shows that a person would become unconscious within 30 to 60 minutes and the expected survival time would be 1 to 3 hours. Given the ethanol levels stated in the toxicology report it is unlikely that Mr Folan would have remained conscious or survived up to the maximum times in the table. Once unconscious and without a lifejacket to keep his head out of the water he would ingest water and drown before he was washed ashore on the NW shore of MacDara's Island.
- 4.6. At the inquest evidence given stated that Mr Folan had a good relationship with his father, siblings and children and there were no indications of a mental state that would lead to a purposeful entry into the water. The fact that he had removed his clothes was explained as his normal procedure in order to swim more easily.
- 4.7. It is not possible to determine exactly how Mr Folan became separated from his boat. Evidence was given that Mr Folan was a strong swimmer and could have swam back to his boat if it was possible. The engine was not fitted with a kill cord and if Mr Folan fell overboard with the engine in gear the boat would remain under way until the engine stalled or made contact with shore or offshore rocks.
- 4.8. Mr Folan was alone and once in the water and separated from his boat he could not have any means of indicating distress as the flares, VHF radio and an EPIRB had he had one, would be in the boat.

- 4.9. When Mr Folan departed at 12:30 hrs he said he would phone his father later. Evidence was given that Mr Folan was not very reliable in this respect and would often return to a different pier or even go to Roundstone. Eventually the Coast Guard was informed at 21:34 hrs by which time it was dark.
- 4.10. Proceeding to sea in an open boat always carries the risk of falling overboard. The risk is increased if activities such as fishing and potting are engaged in. Falling overboard is not fatal but has the following consequences which can lead to fatality:
- Separation from boat and being left in open water.
 - Exhaustion leading to unconsciousness.
 - Immersion of head leading to drowning.

Use of kill cords on outboard engines will stop the boat and enable a person in the water to regain contact with the boat.

Consumption of alcohol will speed up the onset of exhaustion and unconsciousness.

Correct wearing of a lifejacket or PFD will prevent immersion of the head.

The current legislation in respect to consumption of alcohol whilst in charge of a boat and wearing of lifejackets are shown in Appendices 7.5 and 7.6.

5. CONCLUSIONS

- 5.1. Mr Folan didn't comply with the regulations in respect of lifejackets/PFD (SI 586 of 2001).
- 5.2. Mr Folan didn't appear to comply with the legislation in respect to the consumption of alcohol (Maritime Safety Act 2005, Section 28) and by doing so he put his life at risk.
- 5.3. Mr Folan probably parted company with his boat before he had commenced fishing or potting. This would have been between the last sighting at 13:00 hrs and about 13:45 hrs, his ETA at Deer Island.
- 5.4. It is very probable that Mr Folan fell overboard whilst the engine was still running. If the engine was stopped he would have easily swum back to the boat. The fact that the fuel tank still had fuel could be explained if the engine stalled at some time later. Had a kill cord been fitted and used the engine would have stopped instantly and Mr Folan would have remained in contact with his boat.
- 5.5. There was undue delay in raising the alarm once Mr Folan had not returned by 16:00 hrs.
- 5.6. There are unique problems with fishing operations from small open boats by lone fishermen. Once they become separated from their vessel their means of communicating their distress are on board their boat and not accessible to them.

6. SAFETY RECOMMENDATIONS

- 6.1. All fishers must wear lifejackets/PFD at all times whilst afloat.
- 6.2. All persons proceeding to sea must comply with the legislation in respect to consumption of alcohol and drugs.
- 6.3. All vessels putting to sea should inform a responsible person ashore of the intended voyage and estimated time of return or arrival. The Coast Guard should be informed if there has been no contact with the vessel by that time.
- 6.4. Consideration should be given to amending the “Code of Practice for Fishing Vessels under 15 LOA” section 4.1.2.3 *propulsion machinery and stern gear* should be amended to include a requirement that *“the outboard engine be fitted with a kill switch and extendable cord”*.
- 6.5. That the “Code of Practice for Fishing Vessels under 15 LOA” section 9.5 *Radio Equipment* should be amended by the addition of a requirement for undecked vessels where there is a lone occupant that an appropriate beacon should be of the type worn on the person.

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Appendix 7.1 Photographs of Vessel & Location of Incident.



The Carraig Ainne

Appendix 7.1 Photographs of Vessel & Location of Incident.




Dooyeher Pier



MacDara's Island


Appendix 7.2 Weather Report.



MET ÉIREANN
The Irish Meteorological Service

Glasnevin Hill, Dublin 9, Ireland. Cnoc Ghlas Naton, Baile Átha Cliath 9, Éire. www.met.ie Tel: +353-1-806 4200 Fax: +353-1-806 4247 E-mail: met.eireann@met.ie

Ms Helen Conway
MCIB
Leeson Lane
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9/5/2012

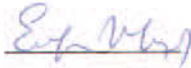
Our Ref. WS3018/2_14591
Your Ref. MCIB/12/215

Re: Estimate of weather conditions in the sea area 53° 18'N 9° 57'W (south east of Slyn Head), between 12 hours on the 23/4/2012 and 12 hours on the 24/4/2012.

Dear Ms Conway,

Please find enclosed the above report.

Yours sincerely,



Evelyn Murphy B.Sc. M.Sc. Meteorologist
(Research & Applications Div)
Ph 01- 8064290 Fax 01 - 8064247
Email: evelyn.murphy@met.ie

Appendix 7.2 Weather Report.

**MET ÉIREANN**
The Irish Meteorological Service

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www.met.ie E-mail: met.eireann@met.ie

9/5/2012

Our Ref. WS3018/2 14591
Your Ref. MCIB/12/215

Estimate of weather conditions in the sea area 53° 18'N 9° 57'W south east of Slyne Head, between 12 hours on the 23/4/2012 and 12 hours on the 24/4/2012.

General Situation

As deep Low Pressure area to the SE of Ireland moved away, a weak ridge of High pressure, moved in over Ireland, from the Atlantic.

Details:**23/4/2012**

12-18 hours

Winds: Moderate to Fresh winds Force 3 to 5, from a North to North-West direction.

Weather: occasional showers, some heavy or thundery with sunny spells in between.

Visibility: good, greater than 30km

State of Sea: Slight to Moderate, mainly from a westerly direction

18-24hours

Winds: Moderate to Fresh winds Force 3 to 5, from a North to North-West direction at first, quickly decreased Light to Moderate, Force 2 to 4.

Weather: occasional showers, some heavy and some good clear spells.

Visibility: good

State of Sea: Slight to Moderate, from a westerly direction

Appendix 7.2 Weather Report.



MET ÉIREANN
The Irish Meteorological Service

Glasnevin Hill, Dublin 9, Ireland.	Cnoc Ghlas Naíon Baile Átha Cliath 9, Éire, www.met.ie	Tel: +353-1-806 4200 Fax: +353-1-806 4247 E-mail: met.eireann@met.ie
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24/4/2012

0 – 6 hours

Winds: Light, Force 1 to 3, from a Northerly direction

Weather: a few showers, rather cloudy at times

Visibility: Moderate to Good

State of Sea: Slight to Moderate. Waves were from a westerly direction.

6-12 hours

Winds: Light variable, Force 1 to 3,

Weather: a few light showers, some sunny spells

Visibility: Moderate to Good

State of Sea: Slight to Moderate, from a westerly direction.

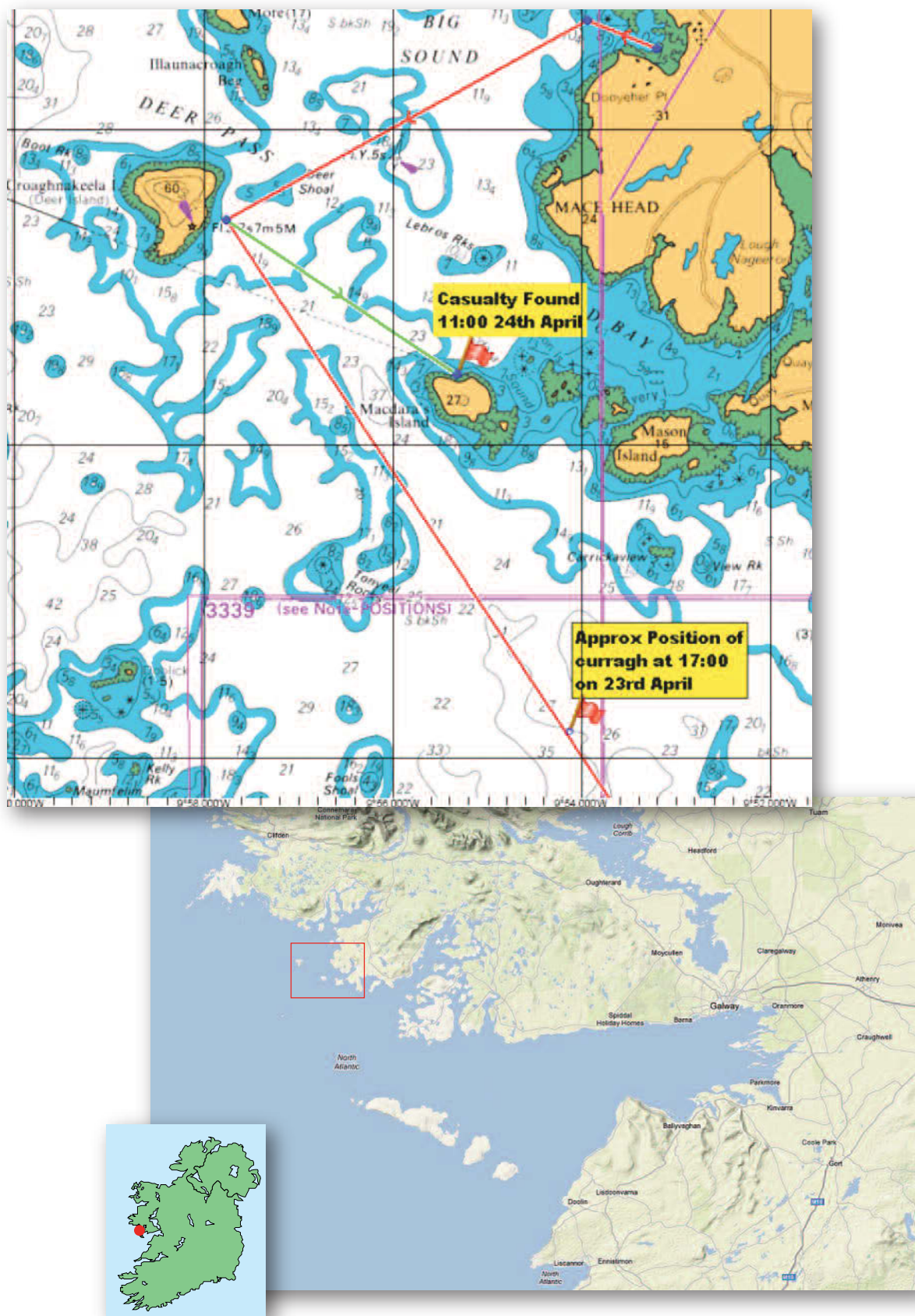
A handwritten signature in blue ink, appearing to read 'Evelyn Murphy'.

Evelyn Murphy B.Sc. M.Sc. Meteorologist
Research & Applications Division
Met Éireann

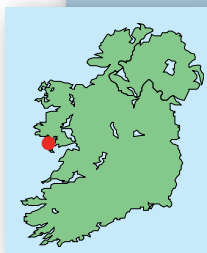
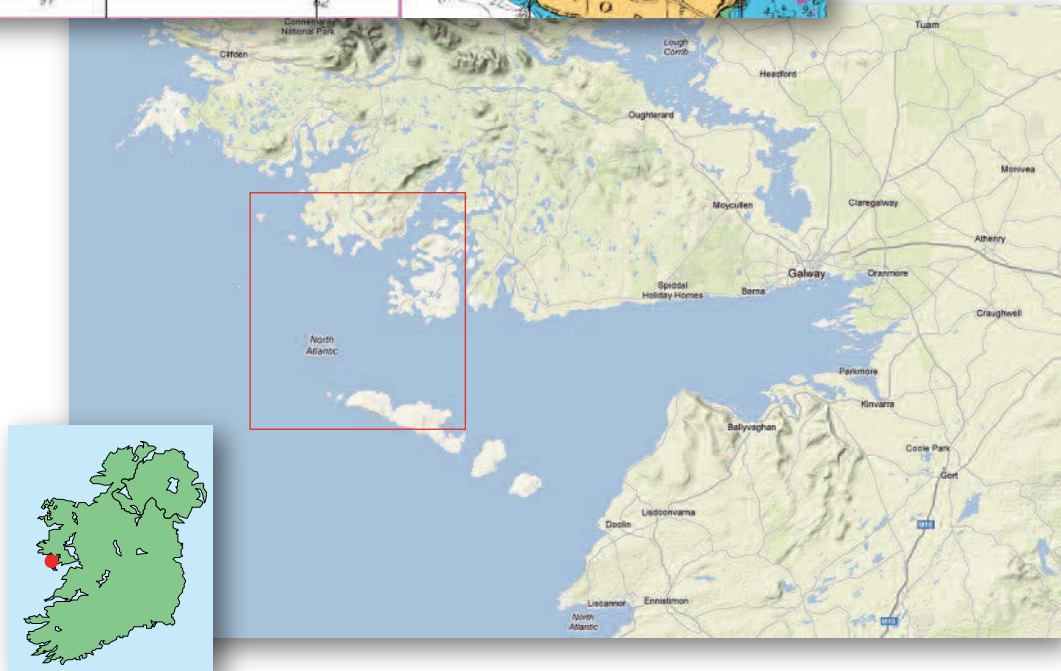


APPENDIX 7.3

Appendix 7.3 Chartlets of Area.



Appendix 7.3 Chartlets of Area.



APPENDIX 7.4

Appendix 7.4 Expected Survival Time in Cold Water.

Water Temperature	Exhaustion or Unconsciousness in	Expected Survival Time
70–80° F (21–27° C)	3–12 hours	3 hours – indefinitely
60–70° F (16–21° C)	2–7 hours	2–40 hours
50–60° F (10–16° C)	1–2 hours	1–6 hours
40–50° F (4–10° C)	30–60 minutes	1–3 hours
32.5–40° F (0–4° C)	15–30 minutes	30–90 minutes
<32° F (<0° C)	Under 15 minutes	Under 15–45 minutes

Appendix 7.5 Regulations in respect of wearing of Lifejackets/PFD.

The Fishing vessel (Personal Flotation Devices (PFD) regulations (SI No 586 of 2001) *“that suitable PFD shall be provided for every person on board. The PFD shall be worn at all times when on the exposed deck of the vessel, or, in the case of open decked vessels, on board the vessel, whether at sea, in harbour, or coming to and from moorings.”*

Appendix 7.6 Legislation in respect of consumption of alcohol.

Maritime Safety Act 2005, Section 28

“A person being in command or in charge or another member of the crew of a vessel in Irish waters or an Irish ship in waters anywhere shall not operate or attempt to control to operate or control the vessel or carry out any task or duty in relation to such operation or control while he or she is under the influence of alcohol or a drug or any combination of or drugs and alcohol to such an extent as to be incapable of properly controlling or operating the vessel or carry out the task or duty.”

8. CORRESPONDENCE RECEIVED

PAGE

8.1 Irish Coast Guard and MCIB Response.

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CORRESPONDENCE 8.1

Correspondence 8.1 Irish Coast Guard and MCIB Response.

 **Department of Transport**
An Roinn Iompair

27 March 2013

 **Marine Casualty Investigation Board**
28 MAR 2013
Bord Imscrúdú Taisní Muirí

 **Irish Coast Guard**
GARDA CÓSTA na hÉIREANN

Your Ref. MCIB/12/115
Our Ref. 22/52/2

Ms. Cliona Cassidy, B.L.,
Chairperson
Marine Casualty Investigation Board
Leeson Lane
Dublin 2

Re. Draft Report into an incident involving a currach near McDara Island, Co Galway on 23rd April 2012.

Dear Ms Cassidy,

The Coast Guard extends its deepest sympathies to Mr. Gerard Folans' family. It is indeed sad that the conclusions reflect many other fatalities at sea over the last 12 months in that if Mr. Folan had worn a lifejacket on the day he would in all probability have survived. Water temperatures at that time of the year would have meant that chances of survival were very high if Mr. Folan also had the means of alerting the Coast Guard of his difficulty. Anyone who goes to sea should understand the importance of carrying float free EPIRBs or at least a PLB.

All boat users should tell a responsible person ashore – in effect an emergency contact – where their craft is going, when its leaving, from what port or slip, time due back and where, who is onboard, what safety and communications equipment is carried, what the craft looks like, its name/call-sign and most importantly what action to take when this estimated time of arrival back passes. This emergency contact ashore must take on this duty vigilantly and contact the Coast Guard immediately once they become concerned.

References to Coastguard throughout should be changed to Coast Guard.

Yours sincerely,

PP 
Chris Reynolds
Director

Director's Office, Irish Coast Guard, Department of Transport, Leeson Lane, Dublin 2, Ireland.
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MCIB RESPONSE:
The MCIB notes the contents of this correspondence.

