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**REPORT ON FATAL INCIDENT  
INVOLVING A CAPSIZED BOAT  
AT COD'S HEAD,  
KENMARE BAY, WEST CORK  
ON  
13th AUGUST 2012**

The Marine Casualty Investigation Board was established on the 25th March, 2003 under the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

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**REPORT No. MCIB/222  
(No.9 of 2013)**



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## 1. SUMMARY

- 1.1 At approximately 16:30hrs on the 13th of August 2012, Mr John O'Leary and his son Mr Christy O'Leary set sail from Tra Na Phearla, Co. Cork in their Enterprise sailing dingy.
- 1.2 Mr John O'Leary was a sailing enthusiast with many years experience which included dingy racing.
- 1.3 Approximately one hour after departure Mr John O'Leary's sailing dingy capsized and both he and his son entered the water.
- 1.4 Despite several attempts Mr John O'Leary and his son Mr Christy O'Leary failed to right the dingy.
- 1.5 After several hours sitting on the upturned hull, the two crew decided to swim to shore.
- 1.6 Mr Christy O'Leary managed to swim to shore and raise the alarm however Mr John O'Leary perished.
- 1.7 Mr John O'Leary's body was found in the early hours of the following morning. A post mortem examination confirmed that Mr O'Leary died from drowning.

## 2. FACTUAL INFORMATION

### 2.1 Parties Involved:

Mr John O'Leary, Allihies, Co. Cork

Mr Christy O'Leary, Inchicore, Dublin 8

### 2.2 Ship Particulars:

Type: Enterprise Sailing

Length: 4.04m

Beam: 1.60m

Draft: 1.17m

Weight: 94Kg

Rig Type: Sloop

Sail Area: 10.7m<sup>2</sup>

Hull Material: GRP and Plywood

Year of Build: unknown

### 2.3 Safety Equipment:

2 x Life jackets

1 x Sponge

1 x Paddle

## 3. NARRATIVE

- 3.1 On the day of the incident the weather was fair with some spells of rain and showers. The wind was from the southwest between 11 to 16 knots. Visibility was good. The sea state was moderate.
- 3.2 Mr John O'Leary and his son set sail from the slip at Tra Na Phearla and spent an hour or so sailing in the area between Cod's Head and the Cullogh Rock.
- 3.3 At approximately 17:30hrs, during a gust of wind, their sailing dingy capsized and the men set about trying to right the boat.
- 3.4 At about 18:00hrs, having failed to successfully right their sailing dingy, both men rested on the hull and waited for assistance.
- 3.5 Between 20:00hrs and 21:00hrs Mr John O'Leary began to suspect that the upturned dingy was beginning to sink and decided that the best course of action was to abandon the vessel and swim for shore, a distance of approximately 800m.
- 3.6 The party swam together for approximately 30 minutes, however in the last 200m Mr John O'Leary encouraged his son to swim on and raise the alarm.
- 3.7 At 21:30hrs Mr Christy O'Leary reached the shore and ran to Mrs Nuala O'Sullivan's house and raised the alarm.
- 3.8 At 21:32hrs the alarm was raised via an emergency call to 999.
- 3.9 At 22:15hrs the search and rescue helicopter arrive on scene and begin assisting the Castletownbere RNLI life boat with the search.
- 3.10 At 22:37hrs the Castletownbere Coast Guard launch from Allihies slipway near Blue Islands.
- 3.11 At 22:51hrs the crew of the Castletownbere Coast Guard locate the upturned sailing dingy.
- 3.12 Between 23:00hrs and 01:25hrs the Coast Guard finds Mr John O'Leary's life jacket.
- 3.13 At 01:25hrs the search and rescue helicopter reports spotting Mr John O'Leary in the water.
- 3.14 At 01:45hrs the Castletownbere RNLI life boat recovers Mr John O'Leary's body.
- 3.15 At 01:58hrs the Castletownbere RNLI life boat reports that they have arrived back in Castletownbere and that Mr John O'Leary's body is ashore.

## 4. ANALYSIS

- 4.1 When inspected, the sailing dingy was found to be very badly damaged. However, in interview with both Mr Christy O’Leary and Mr Julian Brown of the Castletownbere Coast Guard, it was determined that the vessel was in good order prior to the incident. Mr Julian Brown went on to explain that the vessel was in good condition at 12:00hrs on Tuesday the 14th when Julian and his colleague Derek Lowes found the upturned vessel wedged in the rocks close to where Christy O’Leary had come ashore.

At that time Mr Julian Brown was able to right the boat and tie it to some rocks so that it could be recovered later.

The night of the 14th and morning of the 15th saw high winds and heavy seas which caused the majority of the damage.

- 4.2 The Enterprise is a two-man sloop-rigged hiking sailing dingy with distinctive blue sails. Despite being one of the older classes of dinghies, it remains popular in about a dozen countries, and is used for both cruising and racing. One of their characteristics is that it is notoriously difficult to recover after a capsize. The recovery method is to have the crew hold down the bow to force the aft gunwals out of the water. With this forced trim it is possible to bail the water from inside the vessel. However this becomes very difficult if there is not enough passive buoyancy in the boat.
- 4.3 During the vessel inspection it was noted that the forward buoyancy tank and the forward port buoyancy bag were in place. It was confirmed that before departure, the forward starboard buoyancy bag was in place. Mr Julian Brown confirms that, when he righted the boat on the 14th, both the forward buoyancy bags were in place and inflated. It is assumed that the starboard bag was lost during the recovery or during the bad weather the night before the recovery.
- 4.4 During the interview with Mr Christy O’Leary it was confirmed that both himself and his father were aware that the vessel had strapping for two additional buoyancy bags and that they had them on order.

## 5. CONCLUSIONS

- 5.1 The Enterprise sailing dingy had insufficient buoyancy bags and as a result it did not have passive buoyancy to be bailed out after a capsize.
- 5.2 Mr John O'Leary was an experienced sailor and was used to the Enterprise class.
- 5.3 Before departure Mr John O'Leary did not agree a return time or sailing area with a responsible person ashore. If he had done this, the rescue may have occurred before they decided to enter the water.
- 5.4 Whilst Mr John O'Leary and his son were wearing good life jackets they were not wearing wetsuits. The cold and the stresses from the cold would have impaired their decision making process. This may have led to their discussion to attempt the swim to shore.
- 5.5 The vessel remained afloat after it capsized and did so until it drifted to shore.

## **6. SAFETY RECOMMENDATIONS**

- 6.1 Before departure on any sailing trip the skipper should inform someone where he or she is going and what time they plan to return.
- 6.2 In the event of an incident the crew of a vessel should stay with the vessel as long as possible.
- 6.3 Certain sailing dinghies classes have their own characteristics. It is always a good idea to speak with the Class Association where possible.
- 6.4 When sailing small dinghies in an area of low population or limited marine activity, the safety equipment list should include a grab bag with some rockets and hand held flares.
- 6.5 Owners and operators of recreational craft should be aware of, and have studied the Department of Transport, Tourism and Sport's Code of Practice for the Safe Operation of Recreational Craft.

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Appendix 7.1 Aerial Photograph of Sailing Area.





**Appendix 7.3** Dinghy at time of inspection in Castletownbere Coast Guard station.



The only remaining deflated buoyancy bag.

## Appendix 7.4 Weather for the Period.



Appendix 7.4 Weather for the Period.



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

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27/8/2012

**Our Ref.** WS3018/2\_14724  
**Your Ref.** MCIB/222

**Estimate of weather conditions in the Cods Head, Kenmare Bay sea area,  
between 18 hours on the 13<sup>th</sup> August 2012 and 6 hours on the 14<sup>th</sup> August  
2012.**

13/8/2012  
18 to 24 hours

Winds: moderate, Force 4, from a south to south-west direction  
Weather: occasional spells of rain and showers  
Visibility: good  
Seastate: moderate, mainly from a south-westerly direction (a maximum significant wave height of 3.4 metres was reported offshore at M3 during the period)

14/8/2012  
00 to 6 hours

Winds: Moderate later Light winds, Force 4 later Force 3, from a south-west to south direction.  
Weather: occasional showers, a few were heavy, blustery and prolonged  
Visibility: moderate in rain, otherwise good  
Seastate: Moderate, mainly from a west-south-west direction (a maximum significant wave height of 3.5 metres was reported at M3 during the period)

\*M3 recorded hourly observations are attached

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

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



## Appendix 7.4 Weather for the Period.



**MET ÉIREANN**  
The Irish Meteorological Service

Glasnevin Hill, Cnoc Ghlas Naíon Tel: +353-1-806 4200  
Dublin 9, Ireland. Baile Átha Cliath 9, Éire. Fax: +353-1-806 4247  
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M3 Time	air temperature in °C	Significant wave height in metres	Max significant wave height in metres	mean wave direction in degrees from north	sea temperature in °C	wind direction in degrees from north	wind gust speed in knots	mean wind speed in knots
13-aug-2012 18:00:00	16.2	1.7	2.4	233.4	16.4	206.7	16.4	12.7
13-aug-2012 19:00:00	16.2	1.7	2.5	230.6	16.4	219	16.4	12.5
13-aug-2012 20:00:00	16.2	1.7	2.5	220.8	16.4	223.9	15.9	12.5
13-aug-2012 21:00:00	16.1	1.9	2.6	230.6	16.4	224.6	16.2	12.7
13-aug-2012 22:00:00	16	1.9	2.5	234.8	16.3	224.3	16.1	12.8
13-aug-2012 23:00:00	16	2	2.9	227.8	16.3	215.2	15.4	12.4
14-aug-2012 00:00:00	15.9	2.2	3.4	236.3	16.3	222.5	17.7	13.8
14-aug-2012 01:00:00	15.9	2.3	3.2	240.5	16.3	221.8	15.7	11.5
14-aug-2012 02:00:00	15.7	2.2	3.3	239.1	16.3	228.2	16.5	12.4
14-aug-2012 03:00:00	14.8	2	3.2	244.7	16.3	275.6	14	10.4
14-aug-2012 04:00:00	15.3	2.2	3	254.5	16.3	207.4	11.7	9.3
14-aug-2012 05:00:00	15.1	2.2	3.5	254.5	16.2	198.3	11.8	8.8
14-aug-2012 06:00:00	15.1	2.3	3.4	260.2	16.2	181.1	11.5	8.7



Appendix 7.4 Weather for the Period.



**MET ÉIREANN**  
The Irish Meteorological Service

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Beaufort Scale of Wind					
Force	Description	Speed*		Specification	Wave height** (metres)
		knots	km/hr	-sea	
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 a mean speed at a standard height of 10 metres.  
\*\*Wave height is only intended as a guide to what may be expected in the open sea.  
Bracketed figures indicate the probable maximum wave height.

**Wave Heights / State of Sea**

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

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

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

**Visibility Descriptions of visibility mean the following:**

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



## 8. CORRESPONDENCE RECEIVED

### PAGE

8.1 Irish Coast Guard and MCIB Response.

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8.2 RNLI and MCIB Response.

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Correspondence 8.1 Irish Coast Guard and MCIB Response.



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

## CORRESPONDENCE 8.2

### Correspondence 8.2 RNLI and MCIB Response



**Royal National Lifeboat Institution**  
Charities Act 1960 (No. 104) of 1960 and 1962 (No. 104) of 1962  
Charities Act 1963 (No. 104) of 1963 and 1964 (No. 104) of 1964  
Charities Act 1965 (No. 104) of 1965 and 1966 (No. 104) of 1966  
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Charities Act 2017 (No. 104) of 2017 and 2018 (No. 104) of 2018  
Charities Act 2019 (No. 104) of 2019 and 2020 (No. 104) of 2020  
Charities Act 2021 (No. 104) of 2021 and 2022 (No. 104) of 2022

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Ms. Cliona Cassidy BL  
Chair  
Marine Casualty Investigation Board  
Leeson Lane  
Dublin 2



19<sup>th</sup> February 2013

Dear Ms. Cassidy

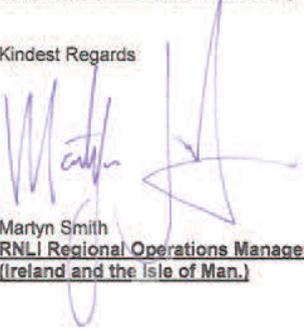
**DRAFT REPORT OF THE INVESTIGATION INTO FATAL ACCIDENT CODS  
HEAD, KENMARE BAY, WEST CORK ON 13TH AUGUST 2012**

Reference: MCIB letter 12/22

Thank you for inviting the RNLI to comment on the incident which resulted in the tragic loss of Mr. John O'Leary.

The RNLI has nothing further to add to the report, suffice to say our thoughts are with the family and friends of Mr. O'Leary.

Kindest Regards



**Martyn Smith**  
**RNLI Regional Operations Manager**  
**(Ireland and the Isle of Man.)**

The RNLI is the charity that saves lives at sea  
Charity number: CNY 2078 in the Republic of Ireland and registered in England and Wales (208608) and Scotland (SC033778)

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