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**REPORT OF THE INVESTIGATION
INTO
THE FATAL INCIDENT INVOLVING
THE “MFV LEONORA JACINTA”
NEAR SALTEE ISLANDS,
CO. WEXFORD
ON
25th NOVEMBER 2013**

**REPORT NO. MCIB/233
(No.3 OF 2014)**



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1. SUMMARY

(All times have been standardised to UTC)

On the morning of 25th November 2013 the fishing vessel departed from Kilmore Quay with one person on-board. About three and a half hours later the vessel was observed south of the Saltee Islands secured to a line of pots with no one on-board. The alarm was raised and an air and sea search was commenced which continued for a further 26 days without success. On 4th May 2014, a deceased person was found on the shore of the Great Saltee Island and was subsequently identified as being the missing fisherman.

2. FACTUAL INFORMATION

2.1 Vessel Particulars: (Appendix 7.1 - Photograph No. 1)

Name:	“MFV Leonora Jacinta”
Type:	Half decked wooden vessel.
Fishing No:	WD 82
LOA:	8.6 metres (m)
Breadth:	3.38 m
Depth:	1.25 m
Year:	1978
Construction:	Wood, pine carvel on oak frames.
Engine:	Ford inboard diesel.
Power:	38.8 kW

A Declaration of Compliance with the Code of Practice for the Design, Construction and Equipment of Small Fishing Vessels of Less than 15 m Length Overall was issued on 14th May 2010 and valid until 14th May 2014.

The vessel had a multi-purpose fishing license from 21st June 2012.

The vessel had a hydraulic pot hauler on the starboard side just outside the wheelhouse door.

The hydraulic power was supplied by a pump driven from the main engine.

2.2 Safety Equipment:

Two inflatable Personal Flotation Devices (PFDs) hanging in the wheelhouse - in fair condition.

EPIRB in working condition in the wheelhouse.

Two VHF receivers in working condition.

Two fire extinguishers.

First aid kit.

2.3 Voyage Particulars:

An inshore fishing voyage from Kilmore Quay to Saltee Islands, Co. Wexford - approximately a 10 nautical mile round trip. (See Chartlet Appendix 7.2).

¹Please note the spelling “MFV Leonara Jacintha” has also been recorded for this vessel.

2.4 Marine Incident Information:

Type:	Fatality - serious.
Date:	25th November 2013.
Time:	12.42 hrs UTC.
Position:	Lat 52° 06'N - Long 006° 37'W.
Weather:	Light to moderate northerly winds - fine & clear.
Sea state:	Slight to smooth with slight WSW swell.
Met Éireann weather report for the area on 25th November 2013. (See Appendix 7.3).	
Sea Temperature:	12.4°C at buoy M5 (25 miles south of Saltee Islands).
Tide Information:	High Water Cobh 10.00 hrs and 22.20 hrs - Range: Neap tides North East going from 10.00 hrs to 15.00 hrs at 0.7 to 1.0 knots.
Sunrise:	Approximately 08.00 hrs.
Sunset:	Approximately 16.30 hrs.
Ship Operation:	Fishing - pot hauling.
Place on-board:	Man lost overboard.
Human factors:	(1) Person alone in vessel. (2) Person not wearing Personal Floatation Device (PFD).
Equipment Factor:	None.
Consequences:	Fatality.

2.5 Shore Authority Involvement and emergency response:

Extracts from situation reports from Dublin MRCC from 25th November 2013 to 4th May 2014.

2.5.1 At 12.42 hrs a call from the mechanic of Kilmore Lifeboat to Rosslare Coastguard that there was a fisher missing and presumed lost overboard near the Saltee Islands. Kilmore Lifeboat and a helicopter were tasked and a surface search started.

2.5.2 26th November - 22nd December 2013.

Sea and shore searches including naval diving operations were carried out on a daily basis.

2.5.3 22nd December 2013.

At 14.06 hrs searches unsuccessful and ceased due to weather conditions, incident closed.

2.5.4 4th May 2014.

Casualty discovered on Great Saltee Island and Kilmore Quay Lifeboat requested to recover.

2.5.5 6th May 2014.

Casualty identified as being the missing fisher.

3. NARRATIVE

3.1 General:

- 3.1.1 At approximately 08.50 hrs on 25th November 2013 the fishing vessel “*MFV Leonora Jacinta*” was observed departing from Kilmore Quay Harbour. The owner of the vessel was the only person on-board.
- 3.1.2 Witness statements could not establish with certainty if this person was wearing a PFD at that time.
- 3.1.3 The purpose of the voyage was to lift & bait lobster pots and then to retrieve a line of pots which had become fouled in a position south of the Great Saltee Island about 5 nm from Kilmore Quay. (See Appendix 7.2 Chartlet of area).
- 3.1.4 At approximately 10.00 hrs the “*MFV Leonora Jacinta*” was observed hauling pots as normal south of the Great Saltee Island. Later at 11.00 hrs the vessel was observed at the position close to Shoal Rock were the fouled pots were.
- 3.1.5 At approximately 11.50 hrs a fishing vessel in the area observed that the “*MFV Leonora Jacinta*” had been in a stationary position for some time and communicated the fact with another vessel by VHF radio. After communication the nearest vessel went to investigate the “*MFV Leonora Jacinta*”.
- 3.1.6 This vessel had only one man on-board and reported by radio that no one could be seen on-board the “*MFV Leonora Jacinta*”. The engine was idling and not in gear and the hydraulic pot hauler was in neutral, the vessel was secured to a line of pots. This was about 12.20 hrs.
- 3.1.7 Another vessel with two persons on-board came alongside the “*MFV Leonora Jacinta*” and one of the men went on-board and searched down below and found no one.
- 3.1.8 Kilmore Lifeboat station was monitoring the VHF radio traffic between the vessels and was requested to raise the alarm, which was done at 12.42 hrs.
- 3.1.9 The Kilmore Lifeboat arrived on scene at 12.58 hrs and along with 3 fishing vessels on scene began a search including hauling up the line of pots to see if the owner was trapped in the lines.
- 3.1.10 At 13.11 hrs Helicopter R116 was on scene and commenced search.
- 3.1.11 The “*MFV Leonora Jacinta*” was towed into Kilmore Quay later that afternoon.
- 3.1.12 During the following 26 days an extensive search by land, sea and air ensued. It involved the deployment of the naval service, which provided divers and on scene co-ordination of the search from 26th November 2013.

- 3.1.13 The search continued from 25th November to 22nd December 2013 when the weather deteriorated and the search was ended without recovery of the casualty.
- 3.1.14 The “*MFV Leonora Jacinta*” was examined and the following noted:
- There were two VHF receivers, one on Channel 6 and one on Channel 16, both were reported to being switched on when the vessel was found.
- There were two PFDs hanging in the wheelhouse.
- Witnesses who were well acquainted with the vessel and its owner stated that:
- (a) The vessel only had two PFDs on-board.
 - (b) The owner of the vessel was reluctant to wear a PFD when he was working as it restricted movement.
 - (c) The weather was good with calm seas and it was likely that the owner would not be wearing a PFD in such conditions.
- 3.1.15 There were two sheaths on the bulkhead just inside the wheelhouse door, one contained a blue handled knife the other was empty. Witness statements confirmed that two knives were normally carried on-board.
- 3.1.16 The pot hauler was on the starboard side just outside the wheelhouse door. The height of the gunwale at the pot hauler was 540mm. (See Appendix 7.1 Photograph No. 2).
- 3.1.17 There were two pots on the aft deck, which showed signs of being recently cut from the line. (See Appendix 7.1 Photograph No. 3).
- 3.1.18 The line of pots was examined and parts of the line were observed to have clean ends indicating that the pots had been recently cut off. (See Appendix 7.1 Photograph No. 4).
- 3.1.19 The owner of the vessel was 56 years old and a part time fisher. He had no reported health problems. It was reported that he could not swim.

4. ANALYSIS

- 4.1 The intended operation to recover lost pots had begun as there were two pots cut away from the line on the deck of the vessel when it was found. In addition the engine was running to provide power for the hydraulic pot hauler.
- 4.2 The height of the gunwale is only just over half a metre at the pot hauler and consequently a person leaning out to cut pots off a line would not have much support from above their knees. The weather was calm with a slight swell, but it would be possible for the vessel to lurch and a person to lose their footing.
- 4.3 A witness statement from another fisher stated that the “*MFV Leonora Jacinta*” had moved to the position off Shoal Rock by 11.00 hrs. Investigations an hour later found that the owner was not on-board. It is possible that the owner of the “*MFV Leonora Jacinta*” fell overboard shortly after 11.00 hrs resulting in him being in the water for nearly 2 hours before a search began.
- 4.4 On 25th November 2013 the tidal stream south of the Saltee Islands was in a north east direction from 10.00 to 15.00 hrs. The fastest stream was between 11.00 and 13.00 hrs and at neap tides this was just under 1 Knot. Once in the water a person would be quickly separated from the vessel. In two hours a person in the water would be about 2 miles NE of the vessel by the time the helicopter came on the scene. If a person was wearing a PFD they would be on the surface and visible.
- 4.5 A person in the water without a PFD and wearing clothes would have difficulty keeping afloat and would become exhausted due to cold and exertion. The sea temperature at buoy M5 on 25th November 2013 was 12.4°C. (See Appendix 7.3 Met Éireann report).
- 4.6 The table in Appendix 7.4 gives 1 to 2 hours before a person becomes exhausted and/or unconscious at these water temperatures. Given the age of the person, the fact he could not swim and the initial shock on immersion it is probable that the person sank below the surface before the search commenced.
- 4.7 Under S.I. No. 586/2001 - Fishing Vessel (Personal Flotation Devices) Regulations, 2001 there is an obligation to wear a PFD: “The personal flotation device shall be worn at all times by the crew of the fishing vessel, when on the exposed deck of the vessel”.
- 4.8 Estimating the set and drift of a floating object can be done relatively successfully. However an object drifting on the sea-bed can get caught on obstructions and estimating its set and drift is very difficult.
- 4.9 Diving operations did not begin until the next day when the area of search had expanded.

- 4.10 The vessel was equipped in compliance with the Code of Practice, and the VHF radios and EPIRB were in working order. However once the person is separated from the vessel these cannot be activated and a Personal Locator Beacon (PLB), worn on the person would be much more effective. A PLB for every crewmember is now mandatory under the revised Code of Practice, and the vessel would have been required to comply at the next survey in May 2014.
- 4.11 Due to the length of time that the casualty had been in the water it was not possible to determine if there were medical/health factors in the casualty's loss overboard.
- 4.12 The Code of Practice for fishing vessels less than 15 m LOA states:

6.1.2 Bulwarks, Guard Rails and Handrails

- 6.1.2.1 The perimeter of an exposed deck should be fitted with bulwarks, guard rails or guard wires of sufficient strength and height for the safety of persons on deck; the height of tubular railings and guard wires being not less than 1000 mm above the deck (915 mm where already fitted), the lower course of rails or wires having a clearance of not more than 230 mm and the remaining courses being evenly spaced. Where there would be unreasonable interference with the efficient operation of the vessel the height may be reduced.

The height of the bulwarks and top rails on the "*MFV Leonora Jacinta*" were 950mm which complies with the code. There would be unreasonable interference with working the pot hauler so there were no rails at that point leaving only a bulwark of height 540 mm. This is a 41% reduction in the required height, which is quite significant but allowed because the code does not specify a minimum height.

5. CONCLUSIONS

- 5.1 It is considered likely that the owner of the “*MFV Leonora Jacinta*” fell overboard whilst cutting pots free from a fouled line.
- 5.2 It is not possible to determine the exact circumstances, which led to the owner falling overboard. The low height of the bulwark and absence of higher rails meant a person working at the pot hauler had little or no support.
- 5.3 The evidence from witnesses and the presence of two PFDs on-board confirms that the owner of the vessel was not wearing a PFD.
- 5.4 Had the person been wearing a PFD it is likely that he would have remained on the surface and been visible to the search teams which could have led to an early recovery. A person in the water with sea temperature above 10° could possibly survive for up to 6 hours if supported by a PFD. (See Appendix 7.4 Expected Survival Time in Cold Water).
- 5.5 The S.I. No. 586/2001 - Fishing Vessel (Personal Flotation Devices) Regulations, 2001 was not complied with.

6. SAFETY RECOMMENDATIONS

- 6.1 That the Minister for Transport, Tourism and Sport should consider amending the “Code of Practice for Fishing Vessels under 15 m LOA” section 6.1.2 Bulwarks, Guard Rails and Hand Rails so that a minimum height of rail/bulwark is stipulated.
- 6.2 The Minister for Transport, Tourism and Sport should issue a Marine Notice reminding fishers of their obligation to wear a Personal Flotation Device (PFD) while on deck in accordance with S.I. No. 586/2001, as amended.

7. APPENDICES

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Appendix 7.1 Photographs of vessel.



Photograph No. 1 - The “MFV Leonora Jacinta”



Photograph No. 2 - The position of pot hauler, note low bulwark

Appendix 7.1 Photographs of vessel.

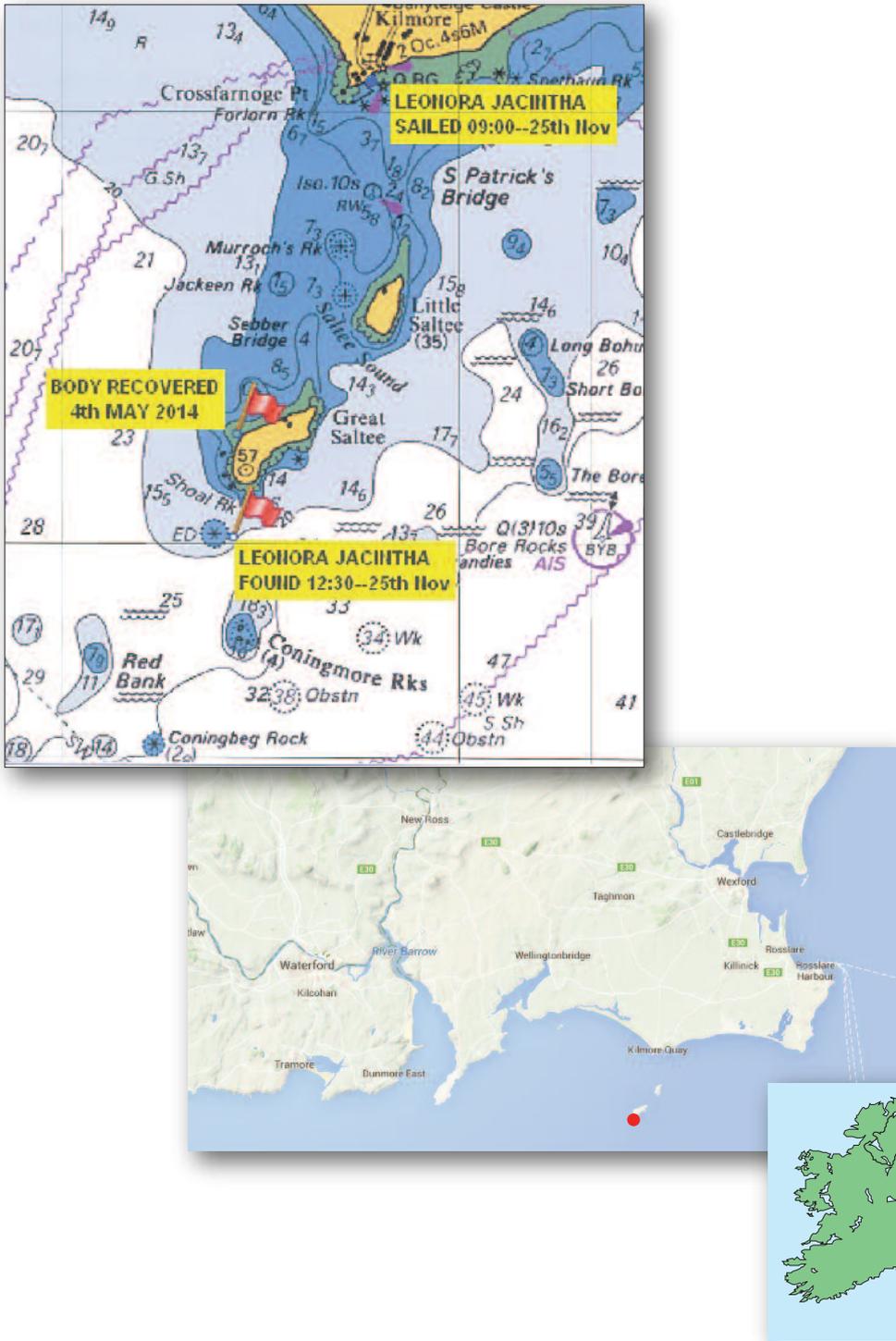


Photograph No. 3 - Two pots cut off as found on vessel



Photograph No. 4 - Remainder of pots recovered from sea

Appendix 7.2 Chartlet of area.



Appendix 7.3 Weather Report.



MET ÉIREANN
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8/1/2013

Our Ref. WS 3018/2_15297
Your Ref. MCIB/12/233

Estimate of weather conditions in the sea area at 52°06' North and 6°37' West, off the Great Saltee Island, on the 25th November 2013, between 6 and 18 hours.

General Situation
An Anticyclone, centred over Ireland, was slow moving during the period

Details

Winds: light to moderate winds, Force 1 to Force 4, from a northerly direction

Weather: dry and mostly rather cloudy, a few breaks in the cloud later in the period.

Visibility: generally good, but moderate to poor for short intervals

Seastate: Slight with a smooth sea from the north and a Slight swell from a west-south-west direction.

*Nearest Buoy M5 reports attached

[Redacted]

[Redacted]

Research & Applications Division
Met Éireann

Appendix 7.3 Weather Report.



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Buoy M5

51° 41.4' N 6° 42.3' W Off the south Wexford coast
Approximately 30 nautical miles (56 km) south of Hook Head

Time	Airpressure (hPa)	Air Temperature (°C)	Sea Temperature (°C)	Wind Direction (degrees from north)	Wind Gust (knots)	Wind Speed (knots)
25/11/2013 06:00	1038.7	10.7	12.4	19.7	12	9.1
25/11/2013 07:00	1039.2	10.7	12.4	42.2	9.5	6
25/11/2013 08:00	1039.9	10.5	12.4	355.4	16.1	13
25/11/2013 09:00	1040.4	10.2	12.4	3.5	17.9	14.9
25/11/2013 10:00	1040.4	10.4	12.4	10.5	15.2	11.8
25/11/2013 11:00	1040.7	10.3	12.4	9.8	14.1	10
25/11/2013 12:00	1040.5	10.1	12.4	24.3	13.8	11.2
25/11/2013 13:00	1040.4	10	12.4	15.5	14.4	10.8
25/11/2013 14:00	1040.3	10	12.4	9.8	14.1	11
25/11/2013 15:00	1040.4	10.1	12.4	7.7	15.4	12.5
25/11/2013 16:00	1041.1	9.9	12.4	355.1	17.4	13.8
25/11/2013 17:00	1041.6	9.9	12.4	3.2	16.4	13.4
25/11/2013 18:00	1041.4	10	12.4	25.3	16.1	13.2

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

Source: UNITED STATES SEARCH AND RESCUE TASK FORCE

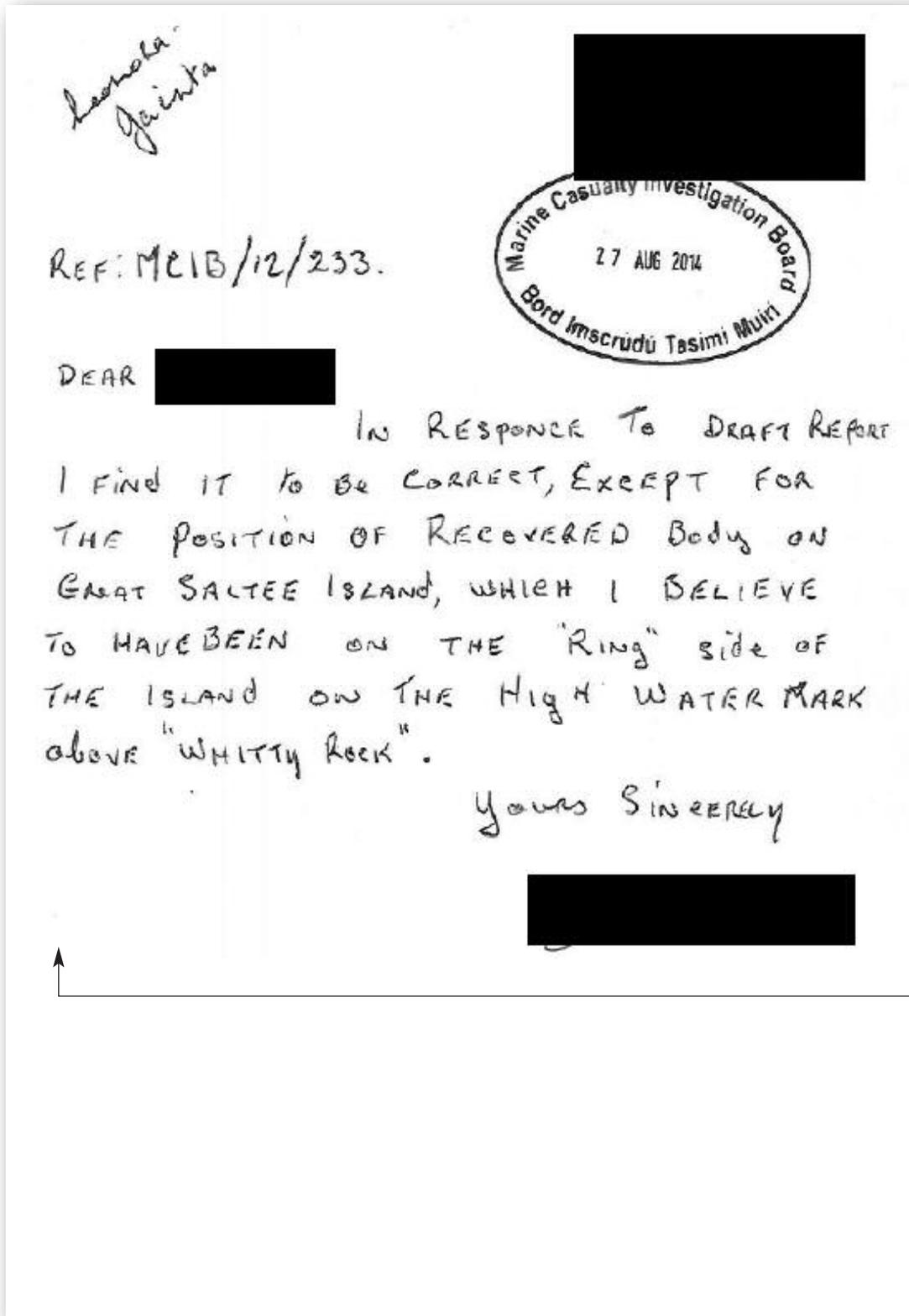
8. CORRESPONDENCE RECEIVED

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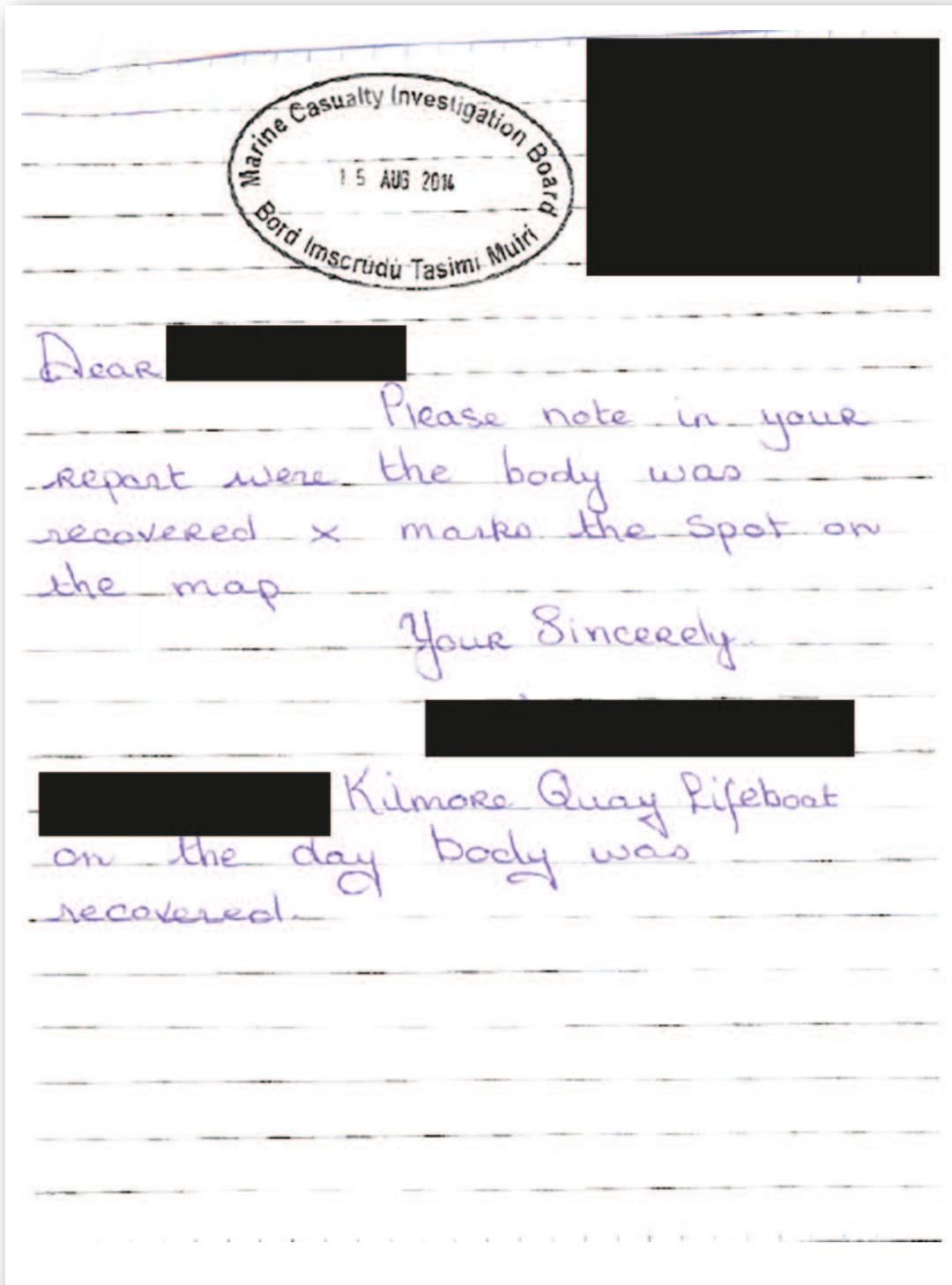
Note: The name and contact details of the individual respondents have been obscured for privacy reasons.

CORRESPONDENCE 8.1

Correspondence 8.1 Correspondence from a member of search party and MCIB response.

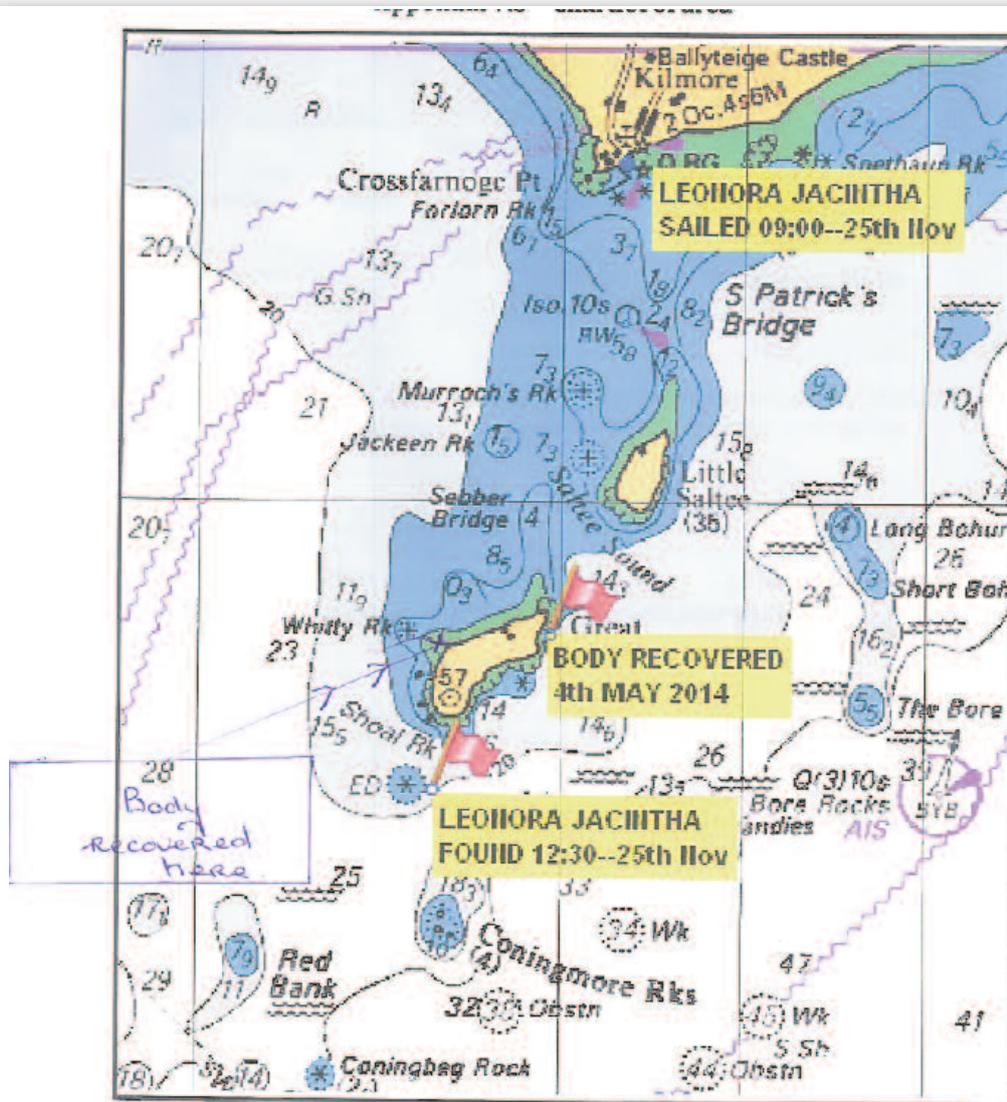


Correspondence 8.2 Kilmore Quay Lifeboat correspondence and MCIB response.



CORRESPONDENCE 8.2 Cont.

Correspondence 8.2 Kilmore Quay Lifeboat correspondence and MCIB response.



MCIB RESPONSE:
Please see response to correspondence 8.1.