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**REPORT OF INVESTIGATION INTO  
A FATAL INCIDENT INVOLVING A  
CAPSIZED PUNT OFF  
BROWNSTOWN HEAD,  
TRAMORE BAY, CO. WATERFORD  
ON  
10th JANUARY 2013**

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/229  
(No.11 of 2013)**

Report MCIB/229 published by The Marine Casualty Investigation Board.  
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## 1. SUMMARY

**Note: All times are in UTC/GMT.**

- 1.1 Whilst returning from a fishing trip in the area of Rinnashark Harbour in Tramore Bay, the 4.9m (16ft) fibreglass punt was swamped over the side by a breaking wave as the boat crossed over a sandbar. The boat immediately filled with water. A second wave capsized the boat, turning it turtle and throwing the two occupants, Mr James Tate and Mr John Flynn, into the water. While Mr Tate managed to stay in contact with the upturned hull, Mr Flynn did not and the significant current and ebb tide drew him away from the boat.
- 1.2 The two men struggled for approximately an hour and fifteen minutes, keeping in contact by calling to each other, before deciding to swim for the shore which was approximately 50m away. By this time, both men were exhausted, however, Mr Tate managed to reach the shore and raise the alarm. Mr Flynn did not make it ashore and he was taken from the water some time later by the Coast Guard helicopter R117 and flown to Waterford Airport where he was pronounced dead. A Post Mortem examination confirmed the cause of death as drowning.

## 2. FACTUAL INFORMATION

### 2.1 Vessel Description

Construction:	GRP solid laminate hull with transom stern and moulded deck. Aluminium keel band, through bolted, running from stem to stern Single wood thwart forward Buoyancy chamber forward, inspection hatch and cover missing Helmsman's seat aft Transom cut away to accommodate outboard engine
Hull Colour:	Green, rough fibreglass finish without gelcoat
LOA:	4.9m (16')
Beam:	1.8m (5' 11")
Depth:	0.77m (2'6") from gunwale to keel
Engine:	Honda 4 stroke outboard engine 15 hp. Remote petrol tank stored under helmsman's seat, aft
Equipment on board:	Handheld VHF Radio Handheld GPS
Condition:	Hull solid, transom delaminating, for'd buoyancy chamber delaminating inside and inspection cover missing, helmsman's seat delaminating underneath, moulded GRP floor soft and water logged, wood thwart rotting

### 2.2 Conditions at time of Incident

Time of tide locally:	HW approximately 03:46hrs
Weather:	Wind: East to Southeast, Force 3 Weather: Occasional drizzle but mostly dry Visibility: Mostly good to moderate in drizzle, however, very dark Seastate: Slight to moderate from a south-west direction Wave height: 0.5m to 2.5m

## 2.3 Experience of Persons Involved

Mr James Tate:	Fisherman
	2nd Hand Full Ticket
	First Aid Course
	Sea Survival Course
	Radio Operator Certificate (GOC)
Mr John Flynn:	Ex. RNLI volunteer, therefore, trained in First Aid and Sea Survival

### **3. NARRATIVE**

#### **3.1 EVENTS PRIOR TO THE INCIDENT**

- 3.1 At approximately 04:30 hrs on the morning of Thursday 10th January 2013, Mr James Tate left his home in Dunmore East and collected his friend Mr John Flynn. Together they drove in Mr Tate's 4x4 vehicle towing his boat to an area known as 'The Saleens' on Tramore Bay.
- 3.2 On arrival at The Saleens at approximately 05:15 hrs, they launched the boat and parked the vehicle and trailer off the road above the high tide line.
- 3.3 The two men motored out over the sandbar to the Rinnashark Harbour area where Mr Tate had laid nets the previous evening.
- 3.4 Having hauled the nets at approximately 05:30 hrs, the boat was turned around and the men headed back toward The Saleens.
- 3.5 The haul of fish was small; only 5 or 6 fish had been caught.
- 3.6 The boat was running with the south-west sea into an ebb tide heading to The Saleens, where they had launched the boat earlier. There was a small swell generally which increased significantly as they approached a sandbar across the channel where the depth of water decreased significantly.
- 3.7 As the boat crossed the sandbar, the swell increased suddenly such that a large wave broke over the side of the boat, swamping it immediately.
- 3.8 At approximately 05:45 hrs, Messrs Tate and Flynn were standing in the boat which was now flooded and floating just beneath the surface. Mr Tate called to Mr Flynn to check that he was wearing his lifejacket. Mr Flynn replied that he was. Mr Tate was also wearing his lifejacket. Mr Tate took his mobile phone from his pocket and put it into his mouth to try to keep it out of the water.
- 3.9 A second large wave then rolled the boat over, throwing both men into the water and capsizing the boat, turning it turtle. The boat's anchor fell out when it turned over and grappled in the sandy bottom, effectively anchoring the upturned hull in one place. The mobile phone was knocked out of Mr Flynn's mouth and lost. The handheld VHF radio and handheld GPS that Mr Tate had with him were both in the boat and lost also. Both men were together beside the boat at this stage.
- 3.10 Mr Tate found that he had become entangled in a rope when he fell in to the water. In order to remove the rope from around his shoulder, he had to remove his lifejacket which he donned once more when he was free of the rope. He then managed to climb onto the upturned hull of the boat.

- 3.11 The early morning was still very dark and Mr Tate could no longer see Mr Flynn whom he judged to be about 10 to 15 metres away, although he could hear him talking. Mr Tate was still wearing the head torch that he had put on earlier and he called to Mr Flynn and told him to swim toward the light.
- 3.12 The two men remained in communication for approximately an hour during which time Mr Tate was washed off the upturned hull on a number of occasions. It is understood that Mr Flynn kept trying to return to the boat; however he was swimming against the ebb tide that was now flowing out of the bay at 3 to 4 knots.
- 3.13 At approximately 07:00 hrs, Mr Tate, now too weak and exhausted to try to get back up onto the upturned hull, decided to try to swim for the shore. He called to Mr Flynn once more to tell him to swim for the shore. Although Mr Tate cannot be completely sure, he thinks he heard a reply from Mr Flynn and expected him to reach the shore first.
- 3.14 Mr Tate could see the outline of the sand dunes on the beach against the night sky and although he was only about 50 metres from the shore, it took him approximately 15 minutes of swimming against the current until he managed to touch the bottom with his feet. He found himself walking through the water against a strong current until he was in about 600mm of water at which point he collapsed and crawled onto the beach. He still thought that Mr Flynn must have reached the shore ahead of him as Mr Flynn was the stronger swimmer.
- 3.15 Having made it ashore, Mr Tate pulled himself together and at approximately 07:30hrs began to walk along the beach towards Tramore, Co. Waterford, searching for Mr Flynn and calling him, however, there was no sign of him.
- 3.16 At approximately 07:40 hrs, halfway along the beach towards Tramore, Mr Tate met a jogger. He asked the jogger if he had a phone to call the emergency services, however, he did not. Mr Tate told the jogger that his friend was in the water and the jogger turned back up the beach and ran to alert the emergency services. This he did by making a 999 call to MRCC Dublin at 07:45 hrs.
- 3.17 At 07:46 hrs, MRCC Dublin paged Tramore Lifeboat.
- 3.18 At 07:47 hrs, MRCC Dublin tasked the Waterford based Irish Coast Guard Helicopter R117, The Tramore Inshore Lifeboat and the Tramore Coast Guard Unit.
- 3.19 At 07:54 hrs, Rosslare Coast Guard Radio broadcast a MAYDAY Relay.
- 3.20 At 07:55 hrs, MRCC Dublin made contact with the original caller who gave them all the details he had of the incident.
- 3.21 At 07:57 hrs, MRCC Dublin contacted the Gardaí in Tramore who sent three Gardaí to the beach at Tramore immediately. Also at this time the Naval vessel



L.E Ciara advised that they were at Passage East, Co. Waterford and were proceeding to the area to assist. At 08:06 hrs, the Dunmore East all-weather lifeboat was also tasked to assist in the search.

- 3.22 By 08:11 hrs, the Tramore Lifeboat, Tramore Coast Guard Unit and R117 were on scene and searching for the missing person.
- 3.23 Mr Tate continued up the beach and as he reached the Life Guard Station at the end of the beach, the three members of the Garda Síochána arrived.
- 3.24 At 08:15 hrs, R117 reported that they had located the upturned vessel on the west side of the sand bar.
- 3.25 Mr Tate was briefly interviewed by the Gardaí before being taken to Waterford Regional Hospital at approximately 08:20 hrs.
- 3.26 At 08:38 hrs, R117 found the casualty approximately 200 to 300 metres to the east of the boat, floating in an upright position, and winched him aboard. They requested an ambulance to be available at Waterford Airport as soon as possible.
- 3.27 At 08:39 hrs, Tramore Lifeboat was joined by Tramore Sea Rescue who together righted the upturned boat. They left the boat anchored on the beach as the tide fell.
- 3.28 At 08:45 hrs, R117 landed at Waterford Airport where Mr Flynn was pronounced dead.
- 3.29 By 09:25 hrs, the Lifeboats, Coast Guard Unit and R117 were all stood down and had returned to base.
- 3.30 Later that afternoon, when the tide had flooded once more, the Tramore Gardaí with the assistance of the Tramore Lifeboat and Tramore Coast Guard Unit recovered the boat from the water and took it away for storage.

## 4. ANALYSIS

- 4.1 When the wave broke over the side of the vessel, it filled the boat very quickly and left it swamped and floating just below the surface.
- 4.2 In order for the wave to thoroughly swamp the vessel, it is likely that there was very little freeboard and that the boat was floating very low in the water.
- 4.3 Despite there being both a handheld VHF Radio and a handheld GPS on board, both were lost when the boat capsized. There were no flares or other pyrotechnics on board.
- 4.4 Mr Flynn's mobile phone was lost as the vessel capsized.
- 4.5 Mr Tate was equipped with a head torch so that he could be seen by Mr Flynn, however Mr Flynn did not have a torch and therefore, could not be seen as the night was very dark.
- 4.6 Whilst both men were wearing personal flotation devices of suitable size and buoyancy for their weight, neither was equipped with a collar to keep the wearer on his back and his head above the water or crotch / thigh straps to prevent the jacket from riding up over the wearer's head. Nor was either buoyancy aid equipped with a light or a whistle.
- 4.7 The incident took place within approximately 100 metres of the shallows yet over an hour passed before either man decided to swim for the shore, by which stage they were both cold and exhausted.

## 5. CONCLUSIONS

- 5.1 As an un-decked open boat, it was very vulnerable to breaking waves coming over the side and filling the boat with water. However, in order for a single large wave to totally swamp the vessel, it must have been floating very low in the water with very little freeboard. This conclusion is supported by the general condition of the vessel when inspected following the incident which showed it to be quite waterlogged in places and probably much heavier than as originally built. The aft buoyancy chamber had also been cut open providing storage for the fuel tank, further reducing the inherent buoyancy of the boat.
- 5.2 Had the handheld VHF radio and handheld GPS been available to either Mr Tate or Mr Flynn following the capsizing of their vessel, they would have been in a position to raise the alarm immediately and give details of their location, thus greatly increasing the chances of survival of both men.
- 5.3 As Mr Tate alone was equipped with a light, it was possible for Mr Flynn to locate him, but Mr Tate could not locate Mr Flynn, thus he could only guess at his friend's position in relation to the upturned boat. Had either man been in possession of flares or other pyrotechnics, their use would not only have alerted the emergency services but also provided light for the two men to see each other.
- 5.4 If the personal flotation device worn by Mr Flynn were fitted with a collar, it would have likely helped to keep his head above water and could have contributed to his possible survival. Further, had it been equipped with a light and a whistle, it would have made Mr Tate aware of his whereabouts.
- 5.5 Notwithstanding the standard recommendation to remain with a capsized vessel until help arrives due to the significant buoyancy provided by the vessel, in this particular case, taking into account the proximity of the shore, it is hard not to think that had the two men struck out for the shore immediately after the boat capsized, before their strength had been sapped by the cold and their efforts to remain afloat, the chances of both surviving would have been greatly enhanced.
- 5.6 It is noted that Mr Tate had left word ashore indicating that he expected to return home by 06:30 hrs, however, he was not missed until sometime after the events of the morning. He had not said where he was going to be fishing. This incident highlights the need to ensure that someone ashore is aware of the importance of contacting the emergency services soon after a deadline has passed.

### 6. SAFETY RECOMMENDATIONS

- 6.1 It is recommended that owners and/or skippers check their small boats regularly and that the inherent buoyancy of a vessel is not tampered with in any way.
- 6.2 It is recommended that personal floatation devices must be worn by persons in open boats less than 7m such as detailed in S.I. 921 of 2005, as amended.
- 6.3 It is recommended that a campaign to highlight the importance of carrying safety devices such as personal flares and VHF radios on the person be instigated.
- 6.4 It is recommended that details of an intended trip be left with a responsible person ashore along with a latest time of return and that the person ashore should contact the emergency services shortly after the expected time of return has passed.
- 6.5 That owners and operators of recreational craft should be aware of and follow the Departments of Transport, Tourism and Sport's Code of Practice for the Safe Operation of Recreational Craft.

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### Appendix 7.1 Photographs of Mr Tate's boat ashore.



Mr Tate's boat ashore.



The delaminating transom of the boat.



## Appendix 7.1 Photographs of Mr Tate's boat ashore.



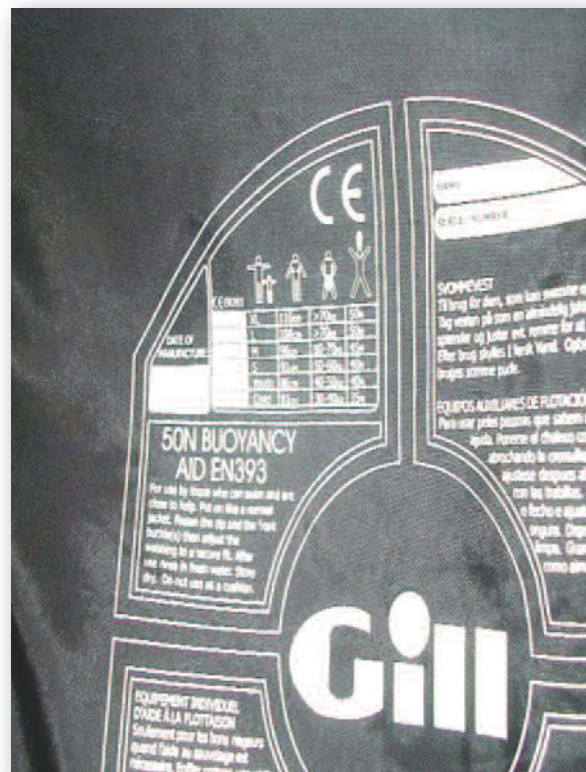
The cut away under the helmsman's seat showing delamination.



The for'd buoyancy chamber showing the missing inspection hatch and lid.

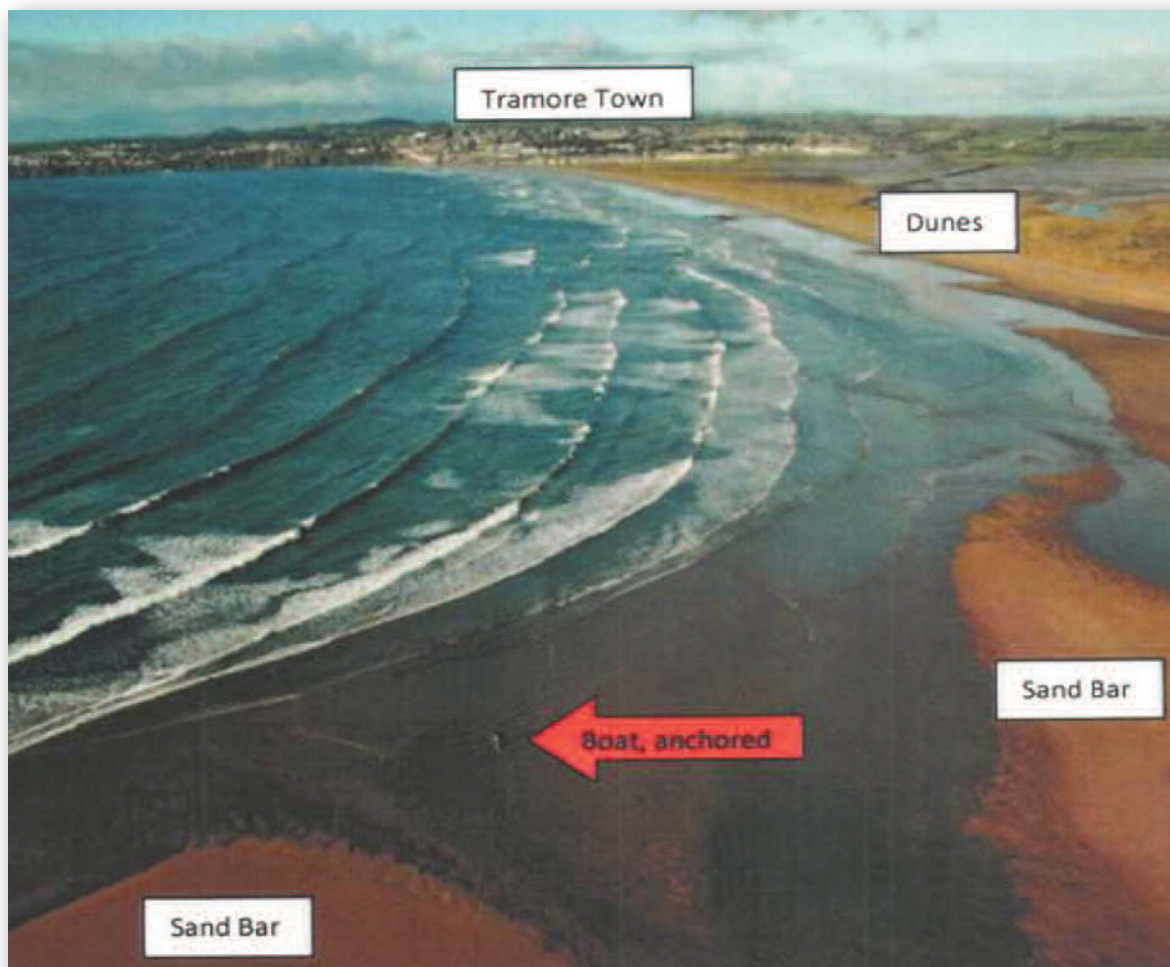
## APPENDIX 7.2

### Appendix 7.2 Mr Flynn's buoyancy aid.





**Appendix 7.3** Aerial view of incident location approximately 7 hours after incident.



Boat upright anchored on sand bar with tide flooding approximately 7 hours after incident.

## APPENDIX 7.4

Appendix 7.4 Location of launch at Saleens.



**Appendix 7.5** Aerial photo of Tramore Bay showing launch site and approximate location of boat when found.





### Appendix 7.6 Met Éireann Weather Report.



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

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16/1/2013

**Our Ref.** WS 3018/2\_14889  
**Your Ref.** MCIB/12/229

**Estimate of weather conditions in the sea area off Brownstown Head, Co Waterford, on the 10<sup>th</sup> January 2013 between 00 hours and 12 hours.**

**General Situation**

A Low pressure area, centred just west of Ireland, moved slowly northwards, while an associated frontal trough moved north-eastwards over the area late in the period.

**Details**

**00-06 hours**

Winds: Light Force 3, from and east to south-east direction

Weather: occasional light drizzle but mostly dry

Visibility: mostly good, but reduced to moderate in occasional patches of drizzle

Seastate: Slight increased Moderate, from a south-west direction

**06-12 hours**

Winds: Moderate, Force 3 to 5 and blustery as the front cleared through around 9 or 10 hours. The winds veered from south to south-west to west.

Weather: spells of rain and drizzle, heavy for a time as the front was clearing through.

Visibility: moderate to poor in rain and drizzle, otherwise good

Seastate: Moderate, from the south-west

\*Attached the M5 buoy observations

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

## Appendix 7.6 Met Éireann Weather Report.



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

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M5 Buoy observations at Latitude 51.7°N Longitude 6.7°W

time	Sig wave height (m)	Max individual wave height (m)	Mean wave dir (true)	Sea temperature (°C)	Mean wind direction (true)	Wind gust speed (knots)	Wind 10 min mean speed (knots)
10-jan- 2013 00:00:00	1.4	1.8	230.6	9.9	159.3	9.3	7.4
10-jan- 2013 01:00:00	1.4	2	227.8	9.9	198.3	8.3	5.3
10-jan- 2013 02:00:00	1.3	2	229.2	9.9	201.8	14.7	11.2
10-jan- 2013 03:00:00	1.4	2.1	227.8	9.9	195.1	14.8	12.2
10-jan- 2013 04:00:00	1.6	2.1	229.2	9.9	181.4	13	10.4
10-jan- 2013 05:00:00	1.7	2.1	233.4	9.9	172.3	14.7	11.4
10-jan- 2013 06:00:00	1.7	2.8	233.4	9.9	170.9	16.2	13.1
10-jan- 2013 07:00:00	2	2.9	236.3	9.9	168.8	16.4	13.5
10-jan- 2013 08:00:00	2.2	2.8	240.5	9.9	170.9	16.9	13.2
10-jan- 2013 09:00:00	2.3	3.7	239.1	9.9	189.5	12	8.8
10-jan- 2013 10:00:00	2	3.2	239.1	9.9	248.9	14.7	10.7
10-jan- 2013 11:00:00	2.2	2.9	237.7	9.9	273.5	22.9	16.9
10-jan- 2013 12:00:00	2.7	3.8	241.9	9.9	281.3	23.8	18.5

## Appendix 7.6 Met Éireann Weather Report.



**MET ÉIREANN**  
The Irish Meteorological Service

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### Beaufort Scale of Wind

Force	Description	Speed* knots	Speed* km/hr	Specification -sea	Wave height** (metres)
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 = 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 (< 1 km)

### Note:

If there are no measurements or observations available for an exact location, these estimated conditions are based on all available meteorological measurements and observations which have been correlated on the routine charts prepared by Met Éireann.

**8. CORRESPONDENCE RECEIVED**

**PAGE**

8.1 RNLI and MCIB Response.

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8.2 Irish Coast Guard and MCIB Response.

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## CORRESPONDENCE 8.1

### Correspondence 8.2 RNLI and MCIB Response.

  
**Lifeboats**

Royal National Lifeboat Institution

Charitable Incorporated Organisation (CIO) 095 091 091  
Chief Executive Paul Swales

RNLI (Charity) Ltd CIO 095 091 091 (Data) Ltd 15555555 (Shareholder) Ltd 01890000  
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Ms. Cliona Cassidy BL  
Chair  
Marine Casualty Investigation Board  
Leeson Lane  
Dublin 2

16<sup>th</sup> April 2013

Dear Ms. Cassidy

**DRAFT REPORT OF THE INVESTIGATION INTO THE SWAMPING/CAPSIZE OF  
A 4.6M PUNT AND SUBSEQUENT LOSS OF ONE LIFE OFF BROWNSTOWN  
HEAD NEAR TRAMORE, COUNTY WATERFORD ON 10<sup>TH</sup> JANUARY 2013**

Reference: MCIB 12/229

Thank you for inviting the RNLI to comment on the report into the incident that resulted in the tragic loss of Mr. John Flynn. The thoughts of all those involved in the RNLI are with the family and friends of Mr. Flynn.

The RNLI has nothing further to add to the report.

Kindest regards



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

**Marine Casualty Investigation Board**  
18 APR 2013  
Bord Imscrúdú Tasimí Muir


The RNLI is the charity that saves lives at sea

(Charity number CIO 2676) In the Republic of Ireland and registered in England and Wales (2046678) and Scotland (SC018726)

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



## Correspondence 8.2 Irish Coast Guard and MCIB Response.



27 March 2013

Your Ref. MCIB/12/229  
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 off Brownstown Head on 10<sup>th</sup> January 2013.**

Dear Ms Cassidy,

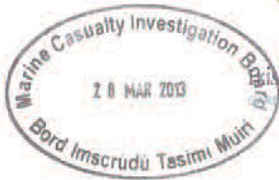

The Coast Guard extends its deepest sympathies to Mr. Flynn's family and to his colleagues in the RNLI. Water temperatures at that time of the year would have meant that chances of survival were very high if the crew had the means of alerting the Coast Guard of their difficulty. Anyone who goes to sea should understand the importance of carrying a float free EPIRB or at least a PLB. We would also like to add that flares should be carried in a float free waterproof container such as a 'poly bottle' attached by a lanyard to the boat. Hand held VHF sets should be worn on the person and not left free in an open boat.

We strongly endorse paragraph 6.4 in that all boat users should also 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 more vigilantly than in this event and contact the Coast Guard immediately they become concerned.

Yours sincerely,



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.





