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**REPORT OF INVESTIGATION INTO
THE SINKING OF THE
MFV “*TIT BONHOMME*”,
NEAR GLANDORE HARBOUR,
WEST CORK
ON
15th JANUARY 2012**

**REPORT No. MCIB/210
(No.5 of 2013)**

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1. SUMMARY

- 1.1. The Irish Registered motor fishing vessel “*MFV Tit Bonhomme*” C 331, left Union Hall, Glandore, Co. Cork on Friday the 13th January 2012 on a fishing trip with a crew of six. The vessel experienced some technical difficulties during the fishing trip and the Skipper decided to return to port. On its return to the port of Union Hall in the early morning of the 15th January 2012 the vessel stranded on Adam’s Island at the entrance to Glandore Harbour. The vessel broke up with the loss of five of its six crew.

2. FACTUAL INFORMATION

2.1 Ship Particulars

The “*MFV Tit Bonhomme*” was a twin rig steel hulled trawler built in France. The vessel was constructed with a raked stem, a shelter deck and a transom stern. Full details of the vessel are given in Appendix 7.1.



Photograph of MFV TIT BONHOMME

Dimensions

Flag:	Ireland
Official Number:	403735
Length Overall:	21.06m
Registered Length:	18.62m
Breadth:	6.70m
Depth:	3.36m
Gross Tonnage:	123
Builder:	Chantier Naval Union et Travail, Sables d'Olonne, France.
Year of Build:	1988

Machinery:	<p>Main Engine - Type: CAT 3412 DITA four stroke diesel rated at approx. 501kW/671 BHP driving via a Mason reduction gearbox to a variable pitch propeller housed in a nozzle.</p> <p>Note: The vessel was re-engined as above in 2008, the Mason Gearbox had been overhauled in 2007.</p> <p>Crane and Net Drums</p>
Owner:	Kathleen Hayes & Michael Hayes, Co. Waterford
Safe Manning:	<p>The vessel was manned in accordance with current regulations for a vessel of registered length 17-24 metres</p> <p>The Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations, 1988 as amended - which requires one Deck Officer qualified to Second Hand Special level.</p>
Vessel Certification:	The vessel underwent a safety survey in 2009 as a "Phase 3" vessel under the Merchant Shipping (Safety of Fishing Vessels) (15-24 Metres) Regulations 2007. However, the vessel did not have a current radio survey nor did it hold a ship's radio licence.

2.2 Voyage Particulars & Crew Details

2.2.1 The vessel, having taken ice on board, departed Union Hall, Co. Cork on Friday 13th January 2012 for a proposed 5 to 6 day fishing trip for whitefish/prawns off the South Coast. The IRCG ship report for the voyage is given in Appendix 7.2.

2.2.2 The manning arrangements were as follows:

2.2.3 The Skipper, Mr Michael Hayes, was the holder of a Second Hand Special Certificate of Competency, No.582, along with the following qualifications:

GMDSS Long Range Certificate Modules 1 and 2 and he had undertaken training with BIM at Dunmore East, Co. Waterford in 2008 leading to a Module 3 certificate.

2.2.4 Crew member Mr Abdelbaky Abdelgawad Mohamed, sole survivor, Egyptian national.

Mr Abdelbaky Abdelgawad Mohamed had been issued with BIM Safety Card 05/2010 ref. no. 3886. He had also completed STCW-95 Elementary First Aid training, BIM Coastal Training Unit, Union Hall, Co. Cork - 30th March 2010.

Personal Survival Techniques - Fire Prevention and Fire Fighting Certificate was awarded by The Arab Academy for Science and Technology and Maritime Transport, Alexandria, Egypt.

2.2.5 Crew member Mr Wael Abdelgawad Mohamed, Egyptian national.

Mr Wael Abdelgawad Mohamed had been issued with BIM Safety Card 05/2010 ref. no. 3885. He had also completed STCW-95 Elementary First Aid training, BIM Coastal Training Unit, Union Hall, Co. Cork - 30th March 2010.

Personal Survival Techniques - Fire Prevention and Fire Fighting Certificate was awarded by The Arab Academy for Science and Technology and Maritime Transport, Alexandria, Egypt.

2.2.6 Crew member Mr Said Mohamed Mohamed Ibrahim Alieldeen, Egyptian national.

Mr Alieldeen is not recorded as possessing the required safety training.

2.2.7 Crew member Mr Attiy Ahmed Shaban, Egyptian national.

Mr Shaban is not recorded as possessing the required safety training.

2.2.8 Student visitor Mr Kevin Kershaw, Irish national.

Mr Kershaw is not recorded as possessing the required safety training.

2.3 Marine Casualty

The vessel stranded on the southern side of the Adam's Island entrance to Glandore Harbour at 05:35hrs on Sunday 15th January 2012 - position established as 51° 32'N 09° 06.5'W. Appendix 7.3 contains an extract of the Admiralty Chart showing the location of the casualty.

2.4 Tidal Data

The following is a summary of the tidal data for Clonakilty Bay

- LW: 02:59hrs
- HW: 09:08hrs - 3.7m
- Tidal Set: 05:15hrs - 0.4 knots x 037°
05:35hrs - 0.5 knots x 042°

More tidal details are given in Appendix 7.4.

2.5 Weather Conditions

2.5.1 Met Éireann - Sea area at the entrance to Glandore Harbour - 51° 32.4'N 9° 06.1W - period 00:00hrs to 06:00hrs:

2.5.2 Winds from the south-east were strong to near Gale-Force, Beaufort Force 5 to 7, with Gale-Force gusts of 35 to 40 knots.

2.5.3 Weather was dull and cloudy with spells of drizzle and rain, some heavier falls during the period.

2.5.4 Visibility was mostly moderate but poor in heavier rain falls.

2.5.5 Temperature: Air temperatures were near 8°C and sea temperatures 10°C.

2.5.6 The sea state was rough to very rough with significant wave heights of 3.3 to 4m recorded at the Kinsale Gas Platform and 3.1 to 3.3m at the M5 Buoy, 51.6900°N 15.9300°W. The waves were mainly from a south-south-east direction.

Further details of the weather are given in Appendix 7.5.

2.6 Shore Authority involvement and Emergency Response

2.6.1 The timeline for the search and rescue response is given in Appendix 7.6.

2.6.2 Overall control and co-ordination of the response arrangements was undertaken by Valentia MRSC, Marine Rescue Sub Centre, Valentia Island, Co. Kerry.

2.6.3 Local coordination took place from the IRCG's Incident Command Centre in Union Hall but overall maritime coordination authority remained with Valentia Coast Guard. The shoreline response was carried out in aid to the civil authority which was An Garda Síochána.

2.6.4 The Emergency Response and recovery operation lasted for twenty-six days, culminating with the recovery of the body of the final missing crewmember on the 10th February 2012.

2.6.5 This operation was very extensive and it involved a whole cross-section of state assets and services along with an unprecedented level of civilian volunteers from all over the country including fishing vessels, diving clubs, shoreline search patrols, Irish Search Dogs, kayakers, Irish Red Cross, Community Rescue Boats and members of the general public.

2.6.6 The local community in Union Hall and hinterland set up a marquee field kitchen on the pier which was operated and manned by the local community throughout the operation furnishing hot meals and refreshments to all concerned.

2.6.7 State assets/contracted assets and SAR services involved the following:

- Naval Service, An Garda Síochána, Coast Guard Rescue Helicopter Service, Coast Guard Coastal Units, Customs Service craft, RNLI Lifeboats, the Ambulance Service, Civil Defence and BIM.

3. NARRATIVE

The events of the casualty on-board the vessel are based on the account of the surviving witness.

3.1 Wednesday 11th January 2012

3.1.1 Routine Main Engine service work was carried out while the vessel was berthed at Union Hall with details as follows:

- Changed out the “CATERPILLAR” attached Sea Water Cooling Pump and replaced it with a reconditioned unit.
- Repaired a leaking gasket on a section of flanged steel pipework attached to the Lub. Oil Cooler. Pipe - 400mm x 50mm diameter.
- Engine run on test on completion and gasket sighted tight.

3.2 Friday 13th January 2012

3.2.1 The vessel was manned by Skipper Mr Michael Hayes, his four Egyptian crew and a student visitor. After having taken ice on board, the vessel departed Union Hall, Co. Cork on Friday 13th of January 2012 at approx.14:40hrs on a proposed 5/6 day fishing trip for whitefish/prawns off the South Coast. Shortly after departure it is understood that the vessel appears to have gone aground at approximately 400 metres north-east of the pier. The tide was rising and the vessel came off and then proceeded to sea.

3.2.2 The weather was mostly south-south-westerly and they made their first shot at 17:00/17:30hrs and towed for about 5 hours. The Skipper was alone in the wheelhouse throughout.

3.2.3 They proceeded to make four shots in the subsequent 24hrs.

3.2.4 The ground fished was some 15 nautical miles south of Glandore Bay/Clonakilty Bay.

3.2.5 During the ‘towing’ the watchkeeping was shared between the Skipper, Mr Michael Hayes and Mr Abdelbaky Abdelgawad Mohamed and his brother Mr Wael Abdelgawad Mohamed.

3.2.6 The Skipper acted as the vessel’s engineer.

3.3 Saturday 14th January 2012

3.3.1 The weather deteriorated at about 19:00hrs The Skipper was in the wheelhouse and Mr Abdelbaky Mohamed and his brother were working in the fish hold. Mr Abdelbaky Mohamed observed that the level of bilge water in the fish hold was high and decided to pump the bilges. The bilge pump controls were located in the engine room and he requested the Skipper to start the bilge pump. After an interval of some 5 minutes it was noted that the level in the fish hold was not reducing.

- 3.3.2 The Skipper changed over from the independently driven bilge pump to the auxiliary bilge pump which is belt driven from the main engine and this was satisfactory.
- 3.3.3 They hauled again at about 19:00hrs and then shot away again after which the Skipper went to the engine room. They towed until about 23:00hrs and hauled. The crew completed working on the previous haul sorting it at about 21:00-21:30hrs, broke and rested to 23:00hrs.
- 3.3.4 The vessel stopped at 23:23hrs to facilitate repairs to the main bilge pump and changed over the bilge pumping duty to the auxiliary engine which was fitted with an attached bilge pump. These were carried out by the Skipper leaving the watchkeeping duty to Mr Abdelbaky Mohamed. Initially he changed the pump impeller but was unable to obtain a suction.
- 3.3.5 In the course of the bilge pump repairs the Skipper noted an oil leak from the main engine and came to the wheelhouse and advised Mr Abdelbaky Mohamed of the situation. They then both went to the engine room at approximately 24:00hrs. Mr Abdelbaky Mohamed noted an oil leak from the top of a steel pipe attached to the attached lubricating oil pump. The Skipper was unable to locate a replacement part on-board the vessel.
- 3.3.6 At about 02:06hrs the Skipper decided to abandon the trip as the fishing had been poor and they had some 42 boxes and several partial boxes on board.
- 3.3.7 The main engine was restarted about 02:14hrs and they got underway, initially at about 2 knots for 45mins while the oil leak was kept under observation and then speed was increased to 4 knots.
- 3.3.8 Mr Abdelbaky Mohamed went to his bunk about 03:00hrs. He had been working on the fishing gear, repairing damage in the interim in the store. He was the first down to the accommodation which was located aft on the deck below the main deck.
- 3.3.9 The cabin contained six berths, two upper and lower - port and starboard aft and a single port and starboard forward. Mr Abdelbaky Mohamed occupied the upper berth portside with Mr Kevin Kershaw in the lower. On the starboard side the upper berth was occupied by Mr Attiy Ahmed Shaban, the lower by Mr Wael Abdelgawad Mohamed. The Skipper's cabin was fitted portside aft in the wheelhouse. It has not been possible to establish who was on watch at the time of the stranding.
- 3.3.10 Mr Abdelbaky Mohamed was awakened some time later by a sudden 'bang' to find the vessel rolling violently. The crew members proceeded to evacuate the accommodation. Mr Kevin Kershaw and Mr Attiy Ahmed Shaban ascended to the main deck/galley and thence to the wheelhouse via the internal portside companionway.
- 3.3.11 Mr Abdelbaky Mohamed and his brother Mr Wael Abdelgawad Mohamed left via the starboard side positioned emergency escape hatch to the main deck exiting in the area of the battery storage compartment. The lighting failed at this juncture and the emergency lighting did not come into operation and it was

noted that batteries were strewn all around. Mr Wael Abdelgawad Mohamed crossed the main deck to the portside entrance to the galley despite conditions of debris laden sea surging in from aft.

- 3.3.12 Mr Abdelbaky Mohamed decided this was too dangerous and proceeded aft along the starboard side and gained the shelter deck via the ladder to the access hatch set in the shelter deck over. He entered the wheelhouse via the sole entrance located at the after side and closed it behind him.
- 3.3.13 Everyone else was present. The Skipper was wearing his Personal Flotation Device, (PFD), and was distributing life jackets to the crew from their stowage locker starboard side. Mr Kevin Kershaw was on his mobile phone but could not get a response to his attempts to make a 999 call. A line was eventually established and the Skipper gave the vessel's position. The call is recorded as commencing at 05:49hrs. Crewmembers were attempting unsuccessfully to activate the McMurdo hand-held VHF's which they had found in a drawer.
- 3.3.14 The vessel was rolling heavily and violently at this stage. Suddenly the wheelhouse side windows were stove in with an ingress of sea and glass. Someone shouted to open the door and let the water out. Mr Abdelbaky Mohamed, standing just inside the door, part fastened his lifejacket, opened the door and was swept out on a swell.
- 3.3.15 In retrospect this must have been about 06:00hrs. He was a strong swimmer and struck away from the vessel in the darkness and confused sea conditions in a south-easterly strong to near gale force winds, half flood tide and sea water temperature of 10°C. He recalls seeing another light ahead of him at one stage which he took to be a lifejacket light.
- 3.3.16 The sole survivor - Mr Abdelbaky Abdelgawad Mohamed - was located by Toe Head Coast Guard boat in a small cove outside Long Point at position: 51° 32.86'N 009° 07.10'W, some 8 cables to the North West of Adam's Island approximately 2hrs 10 minutes later and was winched off by R117 at 08:08hrs and transported to Cork University Hospital. The crew of the Coast Guard boat showed considerable courage in this rescue given the sea state.
- 3.3.17 The remaining bodies were recovered over a period of twenty six days, the last recovered being that of Mr Said Mohamed Mohamed Ibrahim Alielden at 12:45hrs on 10th February 2012. Appendix 7.8 (Recovery of Bodies - Schedule) contains further details.

3.4 Search and Rescue and Response

- 3.4.1 The timeline for the search and rescue operation is given in Appendix 7.6 (Time Line for Casualty) and 7.7 (Summary of SAR units involvement - 15th January 2012) of this report.
- 3.4.2 Baltimore All Weather Lifeboat (ALB) was launched at 06:20hrs and arrived at the scene at 07:30hrs. Courtmacsherry ALB arrived shortly afterwards. Given the All Weather surface support coverage the Toe Head Coast Guard RIB was tasked at 06:42hrs and arrived at the scene at 07:25hrs.

- 3.4.3 Shannon based SAR Helicopter R115 was tasked at 05:55hrs arrived on scene at 07:47hrs with a flight time of 53 minutes from her airborne time of 06:54hrs and with an overall response time of 1hr and 52 minutes.

Note: Normal operational response criteria for SAR Helicopter operation between the hours of 21:00 - 07:00hrs is 45min. On this occasion R115's response time was 59 minutes i.e. +14 minutes on the standard criteria of 45 minutes. The delay was attributable to a connector problem with a new refuelling system. The second stand-by fuel bowser was brought into service immediately to allow refuelling to commence. It is estimated that the actual delay was between 5 and 8 minutes and additional flight planning was required because of safety reasons due to the adverse weather conditions. This was estimated to be approximately 6 minutes.

- 3.4.4 It is understood that it is not the policy of the Coast Guard to have the helicopters fully fuelled when sitting on the ramp/hanger as the power to weight ratio would make them too heavy for hovering and winching on a short range mission.
- 3.4.5 Under normal circumstances the top-up refuelling time would be covered within the 45min response time.
- 3.4.6 The Waterford based SAR Helicopter R117 arrived on scene at 07:50hrs, 3 minutes behind R115, with an airborne time of 20 minutes and a response time of 1hr and 16 minutes.
- 3.4.7 The EPIRB which had commenced transmission at 06:03hrs had its position confirmed at 06:22hrs and was recovered at 07:35hrs and found still transmitting.
- 3.4.8 The sole survivor - Mr Abdelbaky Abdelgawad Mohamed - was located by Toe Head CG boat in a small cove outside Long Point at position: 51° 32.86'N 009° 07.10'W winched off by R117 and transported to C.U.H Cork.
- 3.4.9 By 09:15hrs a co-ordinated systematic area search was on-going by Baltimore ALB, Courtmacsherry ALB, Helicopter R115, Toe Head CG boat, Glandore CG, and Castlefrenke CG.
- 3.4.10 By 14:15hrs the Channel was being swept by 6 fishing vessels in a line-abreast flotilla on reciprocal sweeps.
- 3.4.11 The Irish Naval Service vessel "*L.E. Niamh*" arrived on scene from Cork Harbour at 15:30hrs and took over as On Scene Commander, (OSC), from Baltimore ALB.
- 3.4.12 By 16:35hrs on the first day, the operation was being stood down due to fading light conditions.
- 3.4.13 Ready access to the wreck was hampered from the outset by south-easterly winds and swell conditions.
- 3.4.14 On subsequent days as it became apparent that there would be no further survivors, the effort became one of body recovery. This was a slow co-ordinated process of area by area searching and re-searching by all available assets ashore and afloat.

- 3.4.15 The Naval Service and the Garda Underwater Unit were tasked with carrying out diving operations following the casualty on 15th January 2012. The wreck was located off Adam's Island lying at a depth of 7m at an angle of approx. 110° off centre on her portside. Weather conditions on scene precluded diving operations on the wreck until the 19th January 2012.
- 3.4.16 A total of thirty five dives were carried out on and around the vicinity of the wreck between 19th January and 5th February. A comprehensive search of all areas of the vessel was carried out including the accommodation and engine room spaces. Netting was observed about the bow and aft of the wheelhouse and on the drum on the gantry aft.
- 3.4.17 In the interest of safety and to facilitate any search and recovery operations in the vicinity of the sunken vessel, the Department of Transport, Tourism and Sport issued a Marine Notice No.03 of 2012, dated 16th January 2012, advising that an Exclusion Zone of 200m radius had been created on the wreck in approximate position - 51°32.4' N, 009° 06.1'W - with access limited to vessels and persons authorised by the Irish Coast Guard.

4. ANALYSIS

4.1 General

- 4.1.1 The Skipper's decision to abort the trip appears to have arisen directly from his assessment of the situation once he had discovered the nature and position of the leak in the steel pipe attached to the main engine lube oil pump and given that he did not have the resources on board to carry out an effective repair. It is assumed this pipe was on the pressure side of the system and it is estimated that this decision was taken at about 24:00hrs on Saturday 14th January 2012.
- 4.1.2 The Skipper's concern would have been that the pipe could have failed at any time thus immobilising the main engine, he would return to port proceeding at slow speed.
- 4.1.3 Having restarted the main engine he initially ran it at slow speed for 45 minutes while keeping the leak under observation and increased vessel speed thereafter from 2 knots to 4 knots.
- 4.1.4 This time is provisionally set at about 02:00hrs.
- 4.1.5 Mr Abdelbaky Mohamed turned in about 03:00hrs as he had been working on net repairs in the store prior to that and he was the first down to the accommodation. He was followed thereafter by the other crewmembers leaving the Skipper and Mr Said Mohamed Mohamed Ibrahim Alieldeen in the wheelhouse.

4.2 Vessel's Course

- 4.2.1 The vessel's course was tracked using ship reports and AIS prepared by the Irish Coast Guard in Appendices 7.2 and 7.9.
- 4.2.2 The summary data regarding the Heading, Course and Speed of the vessel during the period is given in Appendix 7.10.
- 4.2.3 The vessel stranded on the southern side of Adam's Island in the entrance to Glandore Harbour at 05:35hrs on Sun. 15th January 2012 - position established as 51° 32'N 09° 06.5'W, see Appendix 7.9.
- 4.2.4 Following the stranding at 05:35hrs the vessel involuntarily shifted her position, slipping around to the south western extremity of Adam's Island. These shifts are recorded on the AIS print outs in the form of jagged geometrical patterns when enlarged as shown in Appendix 7.9
- 4.2.5 The aluminium wheelhouse broke up subsequently and debris sections were recovered, see Appendix 7.11.

Note: At 05:43hrs the last signal was received from the vessel and her position was recorded as: 51° 32.89'N 009° 07.16'W.
- 4.2.6 The vessel was fitted with an auto pilot Navitron NT 920. The record indicates that the vessel was operating on auto-pilot up to the point of stranding. When recovered, the unit was noted with an indicated heading of 110-112°.

- 4.2.7 The course setting manual adjusting control was noted rotating independently of the disc and the Mode Control noted set at 'Permanent Helm'.
- 4.2.8 The Auto-Pilot Unit had sustained physical damage in the incident.

4.3 Navigation Matters

- 4.3.1 Whatever the watchkeeping arrangements put in place for steaming back to port, they resulted in the vessel steaming on an almost constant heading and speed until she was brought up short when she stranded on the southern side of Adam's Island. There was no prior alarm to crewmembers asleep in the accommodation who were awakened by the impact.
- 4.3.2 The normal watchkeeping arrangement in such circumstances where the vessel would be steaming on auto-pilot on a course previously set by the Skipper, would be for the Skipper to turn in, his cabin being in the wheelhouse, leaving instructions with the Watchkeeper as to when he was to be called. This would normally be for a specific time or a readily identifiable position to the Watchkeeper.
- 4.3.3 The vessel was not fitted with a Bridge Navigational Watch and Alarm System, BNWAS, or an Off-Course Alarm. The former is currently only mandatory for all merchant vessels in excess of 150GT and it monitors the Watchkeepers presence. The Watchkeeper is required to press a button on a timer reset panel at certain intervals between 3 and 12 minutes. In the event he fails to do this, a sequence of visual and audible alarms will be generated initially in the wheelhouse and, if corrective action does not occur, throughout the vessel. In the case of an off-course alarm, the auto-pilot was not fitted with such a function.

4.4 Manning

- 4.4.1 The Regulations set out the Manning Requirements in Statutory Instrument No.289/1988 - Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations, 1988 and they require that the minimum number of qualified Deck Officers to be carried on a vessel of length between 17 metres and less than 24 metres fishing in the Limited Area, as this was, is a single Officer certified to 2nd Hand Special level. The Skipper was so qualified.
- 4.4.2 The Regulations permit the Skipper of a vessel of less than 24 metres in length operating in the Limited Area to allow an uncertified person to be in charge of a navigational watch.
- 4.4.3 The inherent danger of having only a single certificated Deck Officer, particularly in the context of today's Irish fishing fleet is that 'all knowledge' resides in him in respect of navigation, communications and safety matters and where he may be rendered disabled involuntarily at any time and unable to fulfil these functions.
- 4.4.4 In the context of current fishing practices of, say, 5 days trips and virtually 24/7 operations the management of the watchkeeping arrangements where the

Skipper is the sole certificated person on board is a key issue. In practice it means that with such a vessel operating trips of, say, 5 days duration, the watch-keeping duties during the Skipper's rest periods are in the hands of crewmembers of varying experience and skill for up to 14 hours per day.

- 4.4.5 It is noted that the crew of fishing vessels are required to undergo statutory minimum basic safety training. This is so that they are aware of the risks and how to deal with them. At least two of the crew of the “*MFV Tit Bonhomme*” did not hold the required statutory safety training.

4.5 Crew Rest Arrangements

- 4.5.1 In the circumstances, it is difficult to ascertain accurately the crew rest period arrangements during the trip - which was of some 39 hours duration.
- 4.5.2 There is reference to the crew resting between ‘shots’ on Saturday 14th January 2012 between 21:30hrs - 23:00hrs, this tallies with a rest period of 1 hour and 30 minutes. Mr Abdelbaky Mohamed stated that he had 3 hours sleep in the previous 36 hours, probably mirroring a similar situation with regard to the Skipper.
- 4.5.3 Given the technical problems experienced with the main bilge pump and subsequent efforts to repair same, both which required the presence in the engine room of both the Skipper and Mr Abdelbaky Mohamed, the extended periods without rest may be partially explained.
- 4.5.4 This is against the background of a statutory requirement - European Communities (Workers on board sea-going fishing vessels) (Organisation of Working Time) Regulations 2003, S.I.709/2003 which requires that crew maximum working hours shall not exceed:
- (i) 14 hours in any 24 hour period, and
 - (ii) 72 hours in any seven day period.
- Or where the minimum hours of rest shall not be less than:
- (i) 10 hours in any 24 hour period, and
 - (ii) 77 hours in any seven day period.
- And where the hours of rest may be divided into not more than two periods, one of which shall be at least 6 hours in length and the interval between such consecutive periods shall not exceed 14 hours.
- 4.5.5 One of the dangers of not adhering to a regulated crew rest period regime is that Watchkeepers may not be as rested as they need to be to operate both safely and efficiently and as a consequence fall victim to fatigue particularly where they may be the only person on board awake and on duty.

4.6 Electrical and Radio Arrangements

- 4.6.1 It is understood that the vessel was fitted with two independent battery installations. The main battery installation consisting of a 4 x 6V bank delivering

a 24V supply was located in the battery storage compartment, starboard side aft on the main deck under the shelter deck.

- 4.6.2 The emergency 24V power supply was delivered from a 2 x 12V battery bank housed in an aluminium watertight box located externally on the wheelhouse crown and welded to it.
- 4.6.3 These power supplies fed to a manually operated change-over switch in the wheelhouse. Thus, the supply was normally set to feed from the main battery installation in the event of a power failure it is understood that the switch over to emergency power supply had to be affected locally and manually in the wheelhouse.
- 4.6.4 It will be recalled that a blackout occurred while Mr Abdelbaky Mohamed and his brother Mr Wael Mohamed were making their way from the accommodation to the wheelhouse. The blackout was sustained and there was no restoration of power subsequently.
- 4.6.5 With the Skipper present in the wheelhouse and possibly the only person on board familiar with the power supply arrangements, it appears that it may not have been possible to restore power via the manual change over arrangements in the wheelhouse. However it is assumed that the Skipper would have sought to make the change over.
- 4.6.6 The witness account states that the wheelhouse was in darkness on his arrival other than for the light available provided by Mr Kevin Kershaw's mobile phone.
- 4.6.7 It is assumed that the emergency/reserve power supply from the battery bank on the wheelhouse top had been knocked out earlier by prevailing conditions. It is noted that the last available AIS signal was at 05:35hrs and that as the AIS is powered by the radio batteries this could indicate that the radio battery power was lost at this point.
- 4.6.8 This may also explain why no apparent attempt was made to communicate a distress alert via the GMDSS DSC, Global Maritime Distress Safety System/ Digital Selective Calling, distress alert system. The latter allows a pre-formatted distress message to be transmitted by depressing a single button.
- 4.6.9 It is unclear why the crew did not use the hand-held VHF radios in the wheelhouse to make a distress call.
- 4.6.10 There is no evidence that a distress call was made by the vessel using any of the radio equipment on-board.

4.7 Safety Musters and Drills

- 4.7.1 The witness and anecdotal evidence suggest that safety musters and drills were only carried out when the vessel was undergoing its required statutory survey. The obligation to carry out drills is set out in Statutory Instrument No. 640 of 2007 Merchant Shipping (Safety of Fishing Vessels) (15-24 Metres) Regulations and they must be carried out at least once per month. Mr Abdelbaky Mohamed had served five years on the vessel and stated that a safety muster and drill

was carried out once per annum. The last such safety muster and drill was held in October 2011 during the statutory safety survey.

- 4.7.2 When the bodies of the crew were recovered it was noted that only the Skipper was wearing any form of buoyancy, in this case a PFD (refer to Appendix 7.8). It is further noted that this vessel, similar to all Irish fishing vessels, carried an “abandon ship” set of lifejackets which were compliant with the Marine Equipment Directive and a second set of working personal flotation devices which comply with the personal protective equipment directive. These latter PFDs are for general use only and are not designed for “abandon ship” situations. If drills had been carried out as required it may have resulted in the wearing of the appropriate “abandon ship” lifejackets rather than the working PFDs.
- 4.7.3 The wearing of the PFDs may reflect the short reaction time available or the lack of training in musters and drills.
- 4.7.4 It is essential that each member of the crew be made familiar with all aspects of the vessel’s safety regime including communications, operation of the safety equipment, wheelhouse layout, its equipment, its function and mode of operation.
- 4.7.5 Witness account recalls crewmembers attempting, unsuccessfully, to get a hand-held VHF radio, found in a drawer in the wheelhouse, to operate. This may have been due to the lack of familiarity of the crew with the use of such VHF radios as they are emergency equipment and they are provided with a dedicated battery for use in emergency situations. It appears that there may have been confusion on-board regarding their operation.
- 4.7.6 All of the safety training musters and drills that are required to be carried out at regular intervals aboard fishing vessels are for such situations as occurred in this case. This is because the time-window to react is short and where procedures have to be carried out in adverse weather conditions by crew who may have been turned out of their berths only minutes before. If the crew are not appropriately trained they may have difficulty responding to an emergency situation.
- 4.7.7 Over loading of the vessel is not considered as a factor in this casualty as the vessel had no more than the equivalent of fifty boxes of fish on-board.
- 4.7.8 The known mechanical problems associated with the vessel are not considered as contributory factors.
- 4.7.9 It is noted that the vessel proceeded to sea with six persons on-board, the vessel was only permitted to carry five and only carried lifesaving equipment for five. This is not in compliance with the statutory requirements.

4.8 Search and Rescue and Response

- 4.8.1 Appendices 7.6 and 7.7 contain details of the search and rescue operations.

- 4.8.2 The Shannon based helicopter was initially tasked. The SAR Mission Controller using decision support software (SARMAP) shows Shannon at 70.89 nautical miles with an estimated flight time of 44 minutes to the incident and Waterford 84 nautical miles with an estimated flight time of 47 minutes to the incident.
- 4.8.3 The Shannon based helicopter took 59 minutes to get airborne this is outside the 45 minutes target. It is noted that difficulties with fuelling are stated as causing this delay.
- 4.8.4 The Waterford helicopter was airborne within 20 minutes of tasking. This is within the 45 minutes target.
- 4.8.5 The All Weather Lifeboats, (ALBs) were tasked before the closer Toe-Head Coast Guard boat. It is understood that this is because the casualty occurred in the hours of darkness and only the ALBs are suitable for operations in such weather conditions and during hours of darkness. The Toe Head boat is a small inshore RIB and not routinely declared as available for night time operations. However, the All Weather surface support was present. The decision was taken to launch the Toe Head RIB even though the sea conditions were unfavourable.

5. CONCLUSIONS

- 5.1 Notwithstanding the many other safety related factors highlighted by this casualty, the single overriding causal factor is considered to be insufficient rest for the crew and that the regulations on hours of work and rest appear not to have been complied with. In the 40 hours between departing Union Hall and the grounding, all crew appear to have had at most four to five hours sleep. This resulted in fatigue and inadequate watchkeeping arrangements on board the vessel and it steamed into and stranded on Adam's Island during the hours of darkness in poor weather conditions and this resulted in five of the six persons on board losing their lives.
- 5.2 The alarm was raised using the personal mobile phone of a visitor on-board, Mr Kevin Kershaw, while there were dedicated hand-held VHF radios in the wheelhouse specifically for that purpose which crewmembers were unable to bring into service. The crew appeared not to have been familiar with the operation of the radio equipment as no radio message was sent. Apart from the main radio installation, which appears to have stopped working, the vessel was fitted with a SART, an EPIRB and hand-held emergency VHF radios. Any of these could have been used to send a radio signal and aid rescue.
- 5.3 At least two of the crew of the “*MFV Tit Bonhomme*” had not undertaken the required mandatory basic safety training.
- 5.4 The legally required safety musters and drills were not carried out at the required regular intervals. This resulted in the crew not being familiar with the purpose and means of operation of items of safety and communications equipment for use in emergencies. Such drills should also be carried out when new crew members join the vessel.
- 5.5 In carrying Mr Kevin Kershaw as a visitor, the “*MFV Tit Bonhomme*” was carrying more crew than it was certified to carry. The “*MFV Tit Bonhomme*” was certified to carry a crew of five and the vessel did not have sufficient lifesaving appliances for all of those on-board during this trip.
- 5.6 This casualty highlights the importance of alerting the Irish Coast Guard as soon as possible when an event occurs which could endanger the vessel. In this case the IRCG should have been advised that the vessel was experiencing lube oil problems and was returning to port.

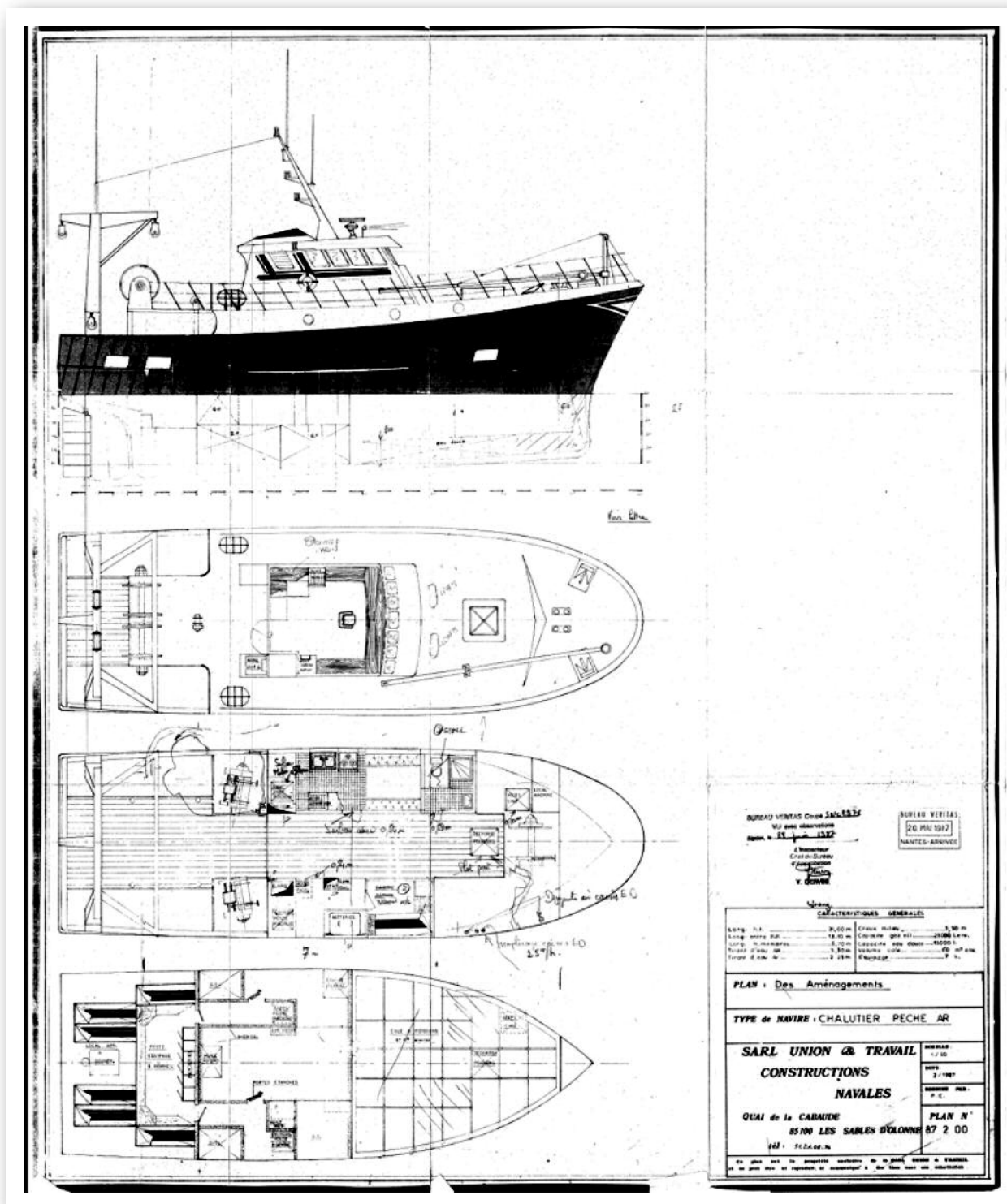
6. SAFETY RECOMMENDATIONS

- 6.1 That the Minister for Transport, Tourism and Sport enforces the European Community (Workers on board sea-going fishing Vessels) (Organisation of Working Time) Regulations, 2003 (S.I.709 of 2003).
- 6.2 That the Minister for Transport, Tourism and Sport enforces the Merchant Shipping (Safety of Fishing Vessels) (15-24 Metres) (Regulations) S.I. No. 640 of 2007 in relation to musters and drills.
- 6.3 That the Minister for Transport, Tourism and Sport considers amending the requirements to provide for the automatic change-over of electrical power supplies for the radio installation in the event of an emergency.
- 6.4 That the Minister for Transport, Tourism and Sport considers the possible fitting of Bridge Navigation Watchkeeping Alarm Systems on-board fishing vessels.
- 6.5 That the Minister for Transport, Tourism and Sport considers issuing a Marine Notice drawing Owners/Skippers attention to the necessity for Skippers encountering situations where the safety of the vessel and its crew are potentially put at risk to alert the appropriate shore authorities advising them of the situation and what assistance the vessel may require.

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Appendix 7.1 Builder's Drawing.



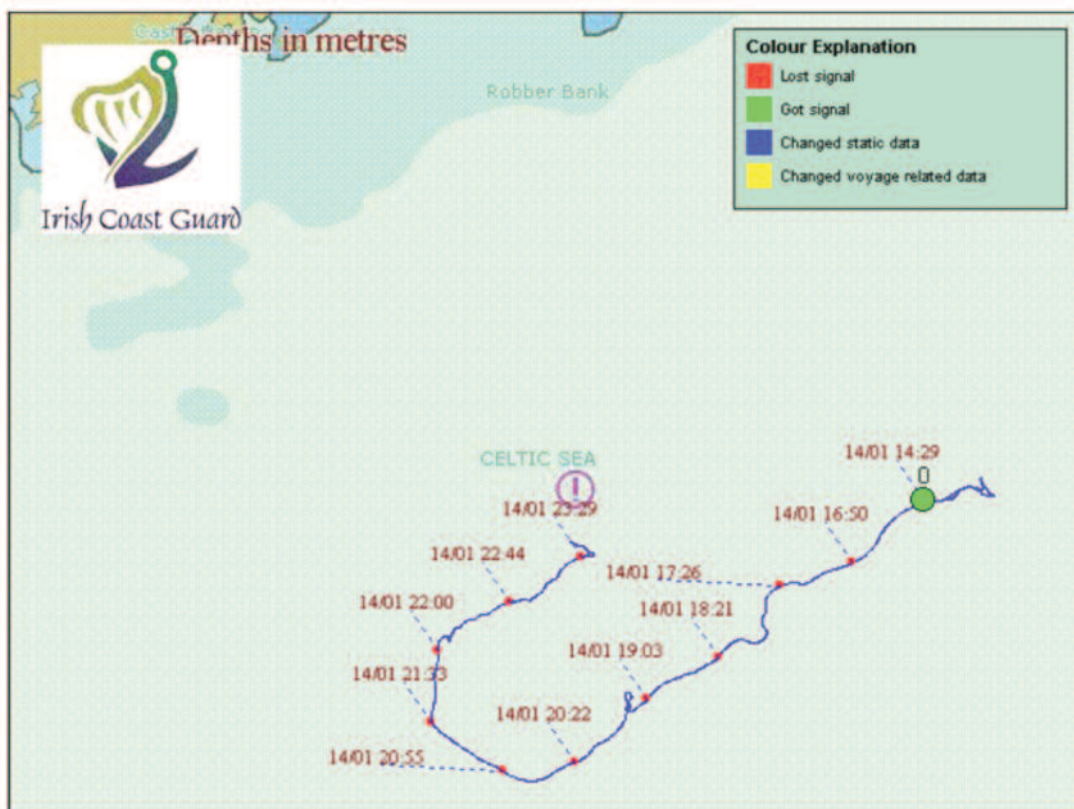
APPENDIX 7.2

Appendix 7.2 Irish Coast Guard Ship Reports.

Ship Report

GATEHOUSE

MMSI : 250147400
IMO : 0
Name : TIT BONHOMME
Callsign : EI7050
Start : 14th January, 2012 00:00
End : 14th January, 2012 23:59



Graph data

Generated: 25th January, 2012 11:08- Provided by Gatehouse

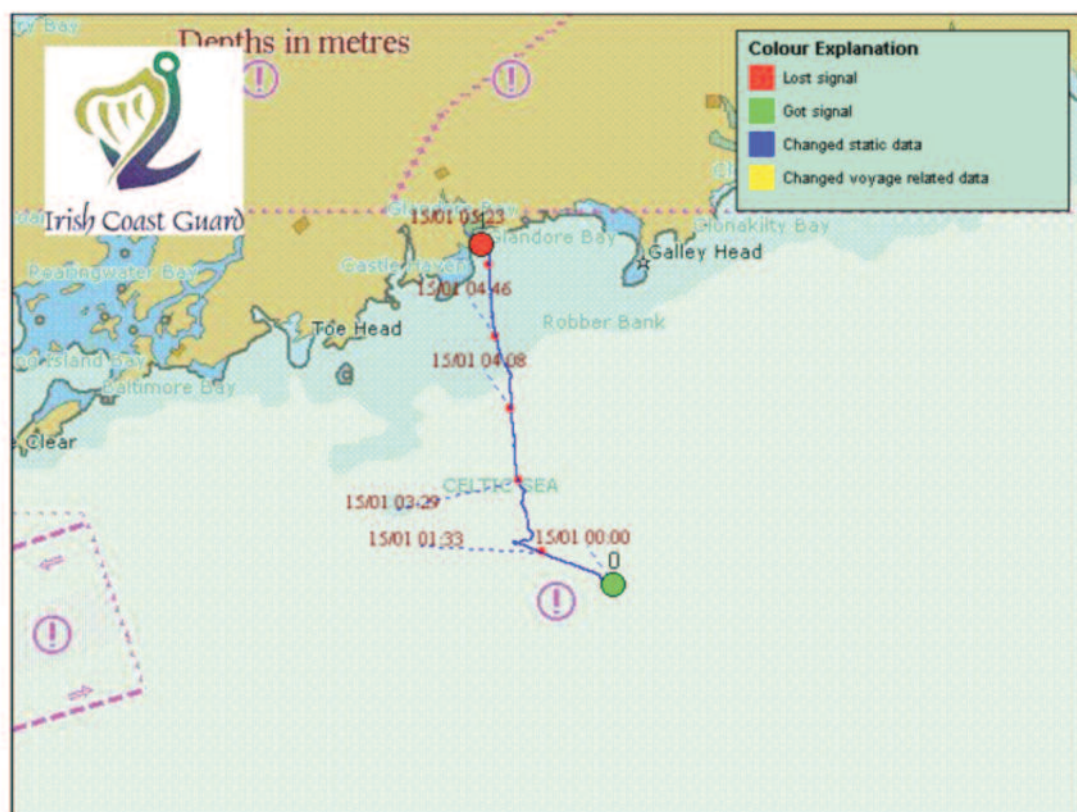
Page 1/2

Appendix 7.2 Irish Coast Guard Ship Reports.

Ship Report

GATEHOUSE

MMSI : 250147400
IMO : 0
Name : TIT BONHOMME
Callsign : EI7050
Start : 15th January, 2012 00:00
End : 15th January, 2012 23:59



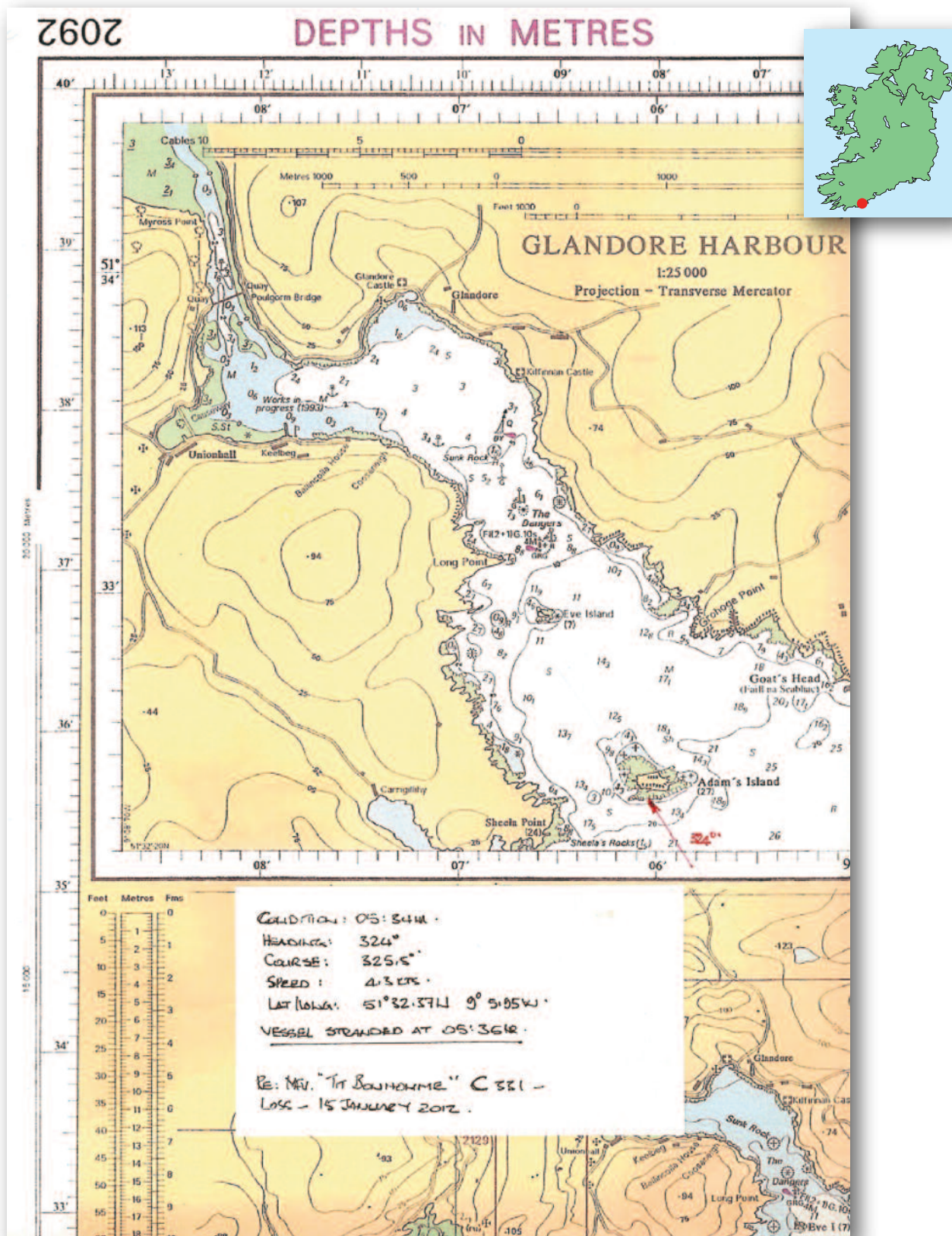
Graph data

Generated: 25th January, 2012 09:46- Provided by Gatehouse

Page 1/2

APPENDIX 7.3

Appendix 7.3 Extract of Admiralty Chart No. 2092 - Glandore Harbour.



Appendix 7.4 Tidal Data - Total Tide - 0745 Clonakilty Bay - 15th January 2012.

0745 Clonakilty Bay											
51°35'N 8°50'W Ireland 15 January 2012 +0000											
Data Area 1-4. Europe, Northern Waters & Mediterranean Version 11											
Predictions are based on COBH											
15/01/2012			16/01/2012			17/01/2012			18/01/2012		
	Time	Height		Time	Height		Time	Height		Time	Height
High	09:08	3.7 m	High	10:01	3.5 m	High	11:01	3.4 m	High	12:05	3.3 m
	21:28	3.6 m		22:25	3.5 m		23:28	3.3 m			
Low	02:59		Low	03:53		Low	04:52		Low	05:57	
	15:27			16:22			17:24			18:34	
19/01/2012			20/01/2012			21/01/2012					
	Time	Height		Time	Height		Time	Height			
High	00:36	3.3 m	High	01:53	3.3 m	High	03:01	3.5 m			
	13:17	3.3 m		14:29	3.3 m		15:30	3.5 m			
Low	07:11		Low	08:27		Low	09:33				
	19:50			20:59			21:56				

Insufficient source data inhibits the computation of full predictions for this tidal station
 Predicted heights are in metres above Chart Datum
 British Crown Copyright © 2010

Appendix 7.5 Met Éireann 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

19/1/2011

Our Ref. WSMCIB/12/210
Your Ref. WS3018/2_14427

Estimate of weather conditions in the sea area at the entrance to Glandore Harbour, at 51°32.4'N 9°06.1'W, on the 15th January 2012, between midnight and midday.

General Situation

A complex area of Low Pressure, off the south and west coast of Ireland, gave a south-easterly airflow over the area

Details

0 to 6 hours

Winds: from the south-east, were Strong to near Gale-Force, Beaufort Force 5 to 7, with Gale Force gusts of 35 to 40 knots

Weather: Dull and cloudy with spells of drizzle and rain, some heavier falls during the period

Visibility: mostly Moderate, but Poor in the heavier falls of rain

Temperature: air temperatures were near 8°C and sea temperatures 10°C

Seastate: The seastate was Rough to Very Rough, with Significant wave heights of 3.3 to 4 metres recorded at the Kinsale Gas Platform, and 3.1 to 3.3 metres recorded at the M5 Buoy. The waves were mainly from a south-south-east direction.

.continued.....



Appendix 7.5 Met Éireann 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

.....continued WS3018/2_14427

6 to 12 hours

Winds: from an east-south-east direction were Fresh Force 5, and some stronger gusts initially of 30 to 35 knots

Weather: Mostly cloudy with spells of drizzle and rain, some heavier falls during the period

Visibility: Moderate to Good

Temperature: air temperatures were near 8°C and sea temperatures 10°C

Seastate: Rough to Very Rough with Significant wave heights of 3.7 to 4 metres recorded at the Kinsale Gas Platform and 3.3 to 3.6 metres recorded at M5 during the period.

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



APPENDIX 7.6

Appendix 7.6 Time line for Casualty.

TIME	EVENT
15 th January 2012	
05:53	<p>Garbled 999 call received indicating vessel sinking – entrance to Glandore Harbour, Co. Cork – Caller did not identify himself.</p> <p>999 call commenced 05:49:23hr and terminated 05:52:43hr – duration 03m20s.</p> <p>Caller cleared line between 05:51:40hr and 05:51:30hr</p> <p>Call received by Valentia MRSC Watch Officer, WO.</p>
05:55	<p>Shannon based SAR Helicopter R115 tasked.</p> <p>Waterford based SAR Helicopter R117 put on stand- by 05:54hr.</p>
05:57	<p>Mayday relay broadcast No.1 made.</p> <p>MRSC Valentia alerts MRSC Dublin requesting SAR resources.</p>
06:02	Contacted LOM /Baltimore RNLI lifeboat, passed details and tasked L/B.
06:05	Courtmacsherry RNLI Lifeboat paged for call-out.
06:13	MRCC Dublin pass details of EPIRB alert from Irish F/V “MFV Tit Bonhomme” C 331
06:20	Baltimore RNLI lifeboat, Tamar Class ALB, launched. ETA on scene – 50 minutes.
06:22	MRCC Dublin confirms EPIRB position: 51°.32.63’N 009°.21’W – entrance to Glandore Harbour.
06:27	Mayday relay broadcast No.2 made.

Appendix 7.6 Time line for Casualty.

TIME	EVENT
15 th January 2012	
06:34	SAR Helicopter R117, Waterford, tasked to incident Union Hall.
06:42	Toe Head Coast Guard CG unit and task pager message with details sent.
06:54	Shannon Helicopter R115 airborne – ETA 07:44hr. Valentia advised 06:34hr
06:58	Waterford Helicopter R117 proceeding. ETA 07:50hr
07:03	Waterford Helicopter – R117 gives ETA on scene 07:47hr
07:25	Toe head CG boat on scene + 4 POB, persons on board.
07:29	Baltimore RNLI lifeboat on scene.
07:50	Waterford Helicopter – R117 on scene.
08:08	Helicopter R117 confirms one survivor on board.
08:09	Contact Ambulance Control and request ambulance.
08:41	UK MCC request suppression of EPIRB
09:15	Search on-going by Baltimore ALB, Courtmacsherry ALB, Helicopter R115, Toe Head CG boat, Glandore CG boat, and Castlefrenke CG boat.
Note: 09:35	Vessel position ‘back-tracked’ from AIS for 05:35 - 51°32’N 09°06.5’W and position completed for vessel.

Appendix 7.6 Time line for Casualty.

TIME	EVENT
15 th January 2012	
10:00	Search on-going: Baltimore ALB, Courtmacsherry ALB, Helicopter R115, R117. Toe Head CG inflatable, 4M Delta, and Glandore CG., Castlefreke CG.
11:34	LE "Niamh" proceeding to recall crew and depart ex Cork Harbour ETA 15:30hrs Naval and Garda divers en-route to scene from Galway ETA 15:00hr.
12:18	CG Units searching on East and West side of Glandore Harbour entrance.
12:23	Helicopter R115 returning to base – crew change
12:27	Helicopter R117 returning to base – crew change
12:30	Present situation – one person recovered and in CUH Cork, still 5 persons missing.
12:36	Helicopter R117 returning to base for crew change, re-tasked for low water search 15:30hr.
13:36	Baltimore lifeboat search area western shore Goats Head, Crohoge Pt. - east to Long Pt., Sheela Pt., to Adams Isl., Eve Island.
13:29	Possible sighted of casualty Long Point by F/V "Brian Eoin"- seemed to sink in position: 51°33'N 008°09.06.71'W.
13:57	LE "Niamh" reports ETA on scene 15:30hr
14:15	Baltimore LB appointed OSC position Adam Island, weather on scene SE 4/5, seas-slight/mod. Confused Vis.1 mile. Courtmacsherry LB searching up and down channel,

Appendix 7.6 Time line for Casualty.

TIME	EVENT
15 th January 2012	
	Presently 6 F/V in parallel search abreast going up and down the channel and returning again.
15:35	Helicopter R117 back on scene - commencing search.
15:50	Still 5 persons missing and one person recovered to CUH
16:35	Helicopter R117 returning to base. NTR, Baltimore ILB returning to base
16:40	Due to fading light, standing down all operations. Courtmacsherry LB. returning to base.
17:04	Naval divers carrying out recce of site.
17:22	All shore units back in and stood down for the night, thorough search of west and east of harbour entrance completed.
17:55	Castlefreck CGU back on station, closed down
19:01	Toe Head CGU back at station house.
18:12	Baltimore LB back at stn.
18:40	Mayday relay info No.4 broadcast
19:02	C/sherry LB back on station Intentions for a.m tomorrow is to continue extensive search of west and east side of Glandore Harbour, extending to Rabbit Isl., and Squince Harbour. Naval divers hoping to dive on site a.m. tomorrow depending on weather.

APPENDIX 7.7

Appendix 7.7 Summary of SAR Units Involvement - 15 January 2012.

Summary of SAR units involvement – 15 January 2012: Period: 05:53 - 19:02hrs. UTC.

MFV."TIT BONHOMME" C 331. Stranded – Adams Island, Glandore Harbour – Sun.15 January 2012.

Unit - Helicopters	Tasked Time UTC	Time to Airborne	ETA Scene	Distance n.miles-estimated.	Arrival on scene	Remarks
R115 – Shannon Note weather conditions etc. -*1	05:55	06:54 [+59']	07:38 Valentia advised 06:34	70	07:47 [+1.52']	12:23 -Return to base-crew change.
R117 - Waterford	05:54 Stand.By 06:34 Tasked	06:54 [+20']	07:41	84	(1) 07:50 [+1hr.16'] (2) 15:35	(1) 12:27 – Return to base-crew change. (2) 16:35- Return to base-crew change.

Unit – RNLI. Lifeboats	Tasked Time UTC	Launch Time	ETA	Distance- n.miles-estmd.	Arrival on scene	Remarks
Baltimore – ALB	06:02	06:20 [+18']	07:19 [+59']	16	07:30 [1hr.28']	(1) 16:37 – Return.to base-poor light. (2) 18:12 – Back at Station.
Courtmacsherry - ALB	Paged – 06:05	06:21 [+16']	07:26 [+ 1h.05']	23	07:39 [1h.34']	(1) 16:40 – Return.base –poor light (2) 19:02 – Back on Station

Appendix 7.7 Summary of SAR Units Involvement - 15 January 2012.

Unit – RNLI Lifeboats	Tasked Time UTC	Launch Time	ETA	Distance- n.miles- estmd.	Arrival on scene	Remarks

Unit – CG	Time paged / tasked	Launch Time	ETA	Distance- nautical miles estimated.	Arrival on scene	Remarks
Toe Head – CG	Paged 06:42	06:52 +4 POB [+10]	-	6.6	07:25 [+43']	19:01 – Back at Station house. Transported by road
Glandore –CG	Paged 08:20- Proceeding	-	-	N/A	08:30- [+10']	Transported by road
Castlefreckle - CG	Tasked 08:21 Proceeding 08:40	-	-	-	09:10 [+49']	Transported by road 17:55 – Back in Station.- closed down

Times as per Coast Guard.

Unit – Naval Service	Tasked Time UTC	Crew/Team recalled and response activated	ETA	Distance N Miles	Arrival on scene	Remarks
LE Niamh	11:34	11:35	15:30 Valentia advised	44	15:30 [+3:55]	Assumed OSC until 25 Jan 2012 and handed over OSC to LE Orla until 31 Jan 2012.
Naval Service Diving Section	11:34	11:35				

Appendix 7.7 Summary of SAR Units Involvement - 15 January 2012.

EPIRB -*2	Transmission commencement – 06:03 MRCC-Dublin-confirmed position – 06:22	Req. ex UK to suppress - 08:41	07:35 - Recovered by MOP – still transmitting 06:09 – Identity of vessel confirmed.
-----------	---	--------------------------------	--

1* - Wind direction:125, Wind speed: 20kts, 8 degrees – Outside Air Temperature, Cloud 800, Visibility: 4km.

MET wind forecast at surface for Glandore for incident time was - 130°, 20kts gusting 32kts. Winds at 1,000ft were down as 150° at 30kts.

Valentia Log at 06:34hr: Helicopter R115 advise ETA 1h.10min including refueling time giving ETA at 07:44hr

2* - EPIRB Alert Transmission Sequence: Data sheet shows 8 data points [satellites picking up for Doppler position fix]

05:57 Detect Only Alert [No Position]

06:03 Unresolved Alert [Position not resolved]

06:09 Resolved Alert [51°32.63'N 009°21'W]

07:23 Resolved Alert [51°32.37'N 009°07.25'W]

07:39 Resolved Alert [51°32.88'N 009°06.96'W]

08:39 Resolved Alert [51°32.89'N 009°07.16'W]

08:43 Resolved Alert [51°32.89'N 009°07.16'W] – Last hit received.

Appendix 7.8 Recovery of Bodies - Schedule

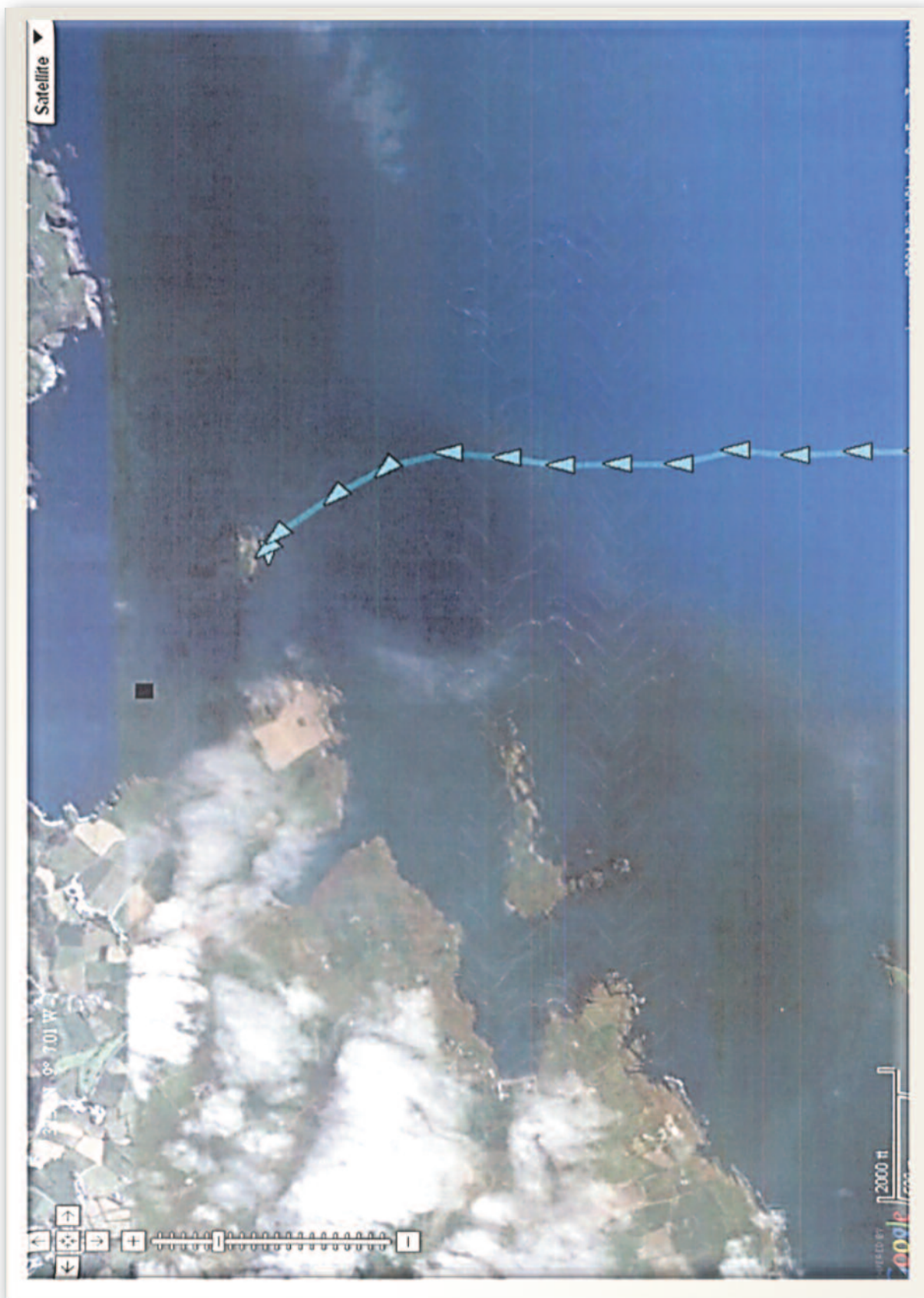
Date	Time	Details	Identity
Thur.19 January	10:45	Outside wreck near Adam's Island by Garda divers	Mr Attiy Ahmed Shaban
Thur.19 January	14:00	Close proximity to wreck and Adam's Island, by Naval Service divers.	Mr Kevin Kershaw
Sun.22 January	09:35	Local diver, John Kearney - North of Adam's Island.	Mr Wael Abdelgawad Mohamed
Wed.08 February	13:53	RIB CYA with assistance of Mr Niall Deasy	Mr Michael Hayes – Skipper
Fri. 10 February	12:45	25m South of Long Point on surface by local diver, Mr John Kearney.	Mr Said Mohamed Mohamed Ibrahim Alieldeen

Remarks:

It was noted that the Skipper, Mr Michael Hayes, was the only person wearing a PFD recovery. This PFD was a Mullion Neptune 150 N, single buoyancy chamber with both manual and automatic inflation. The lifejacket had inflated automatically a tear was noted on the right hand side some 70mm in length which had penetrated the air chamber thus voiding the buoyancy. It was noted that the CO2 cylinder had an expiry date of 2010.

APPENDIX 7.9

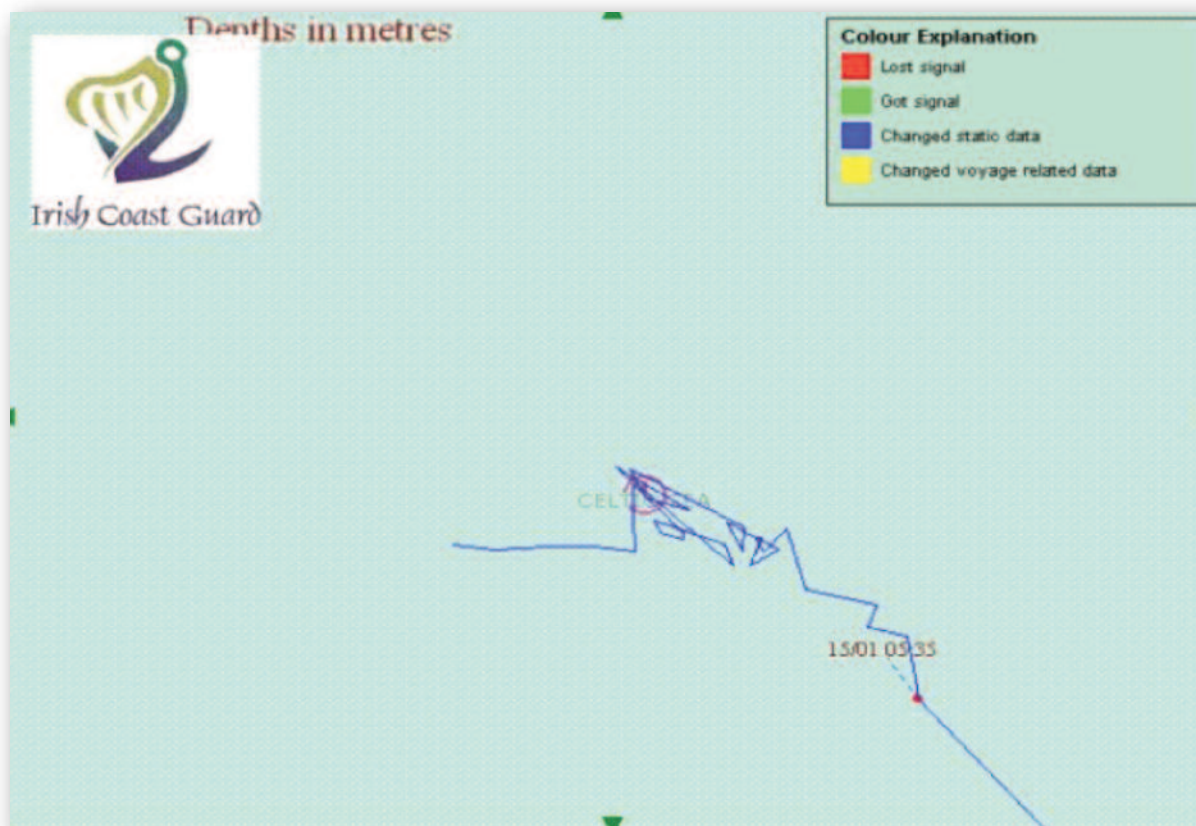
Appendix 7.9 AIS Track of Vessel Grounding.



Appendix 7.9 AIS Track of Vessel Grounding.



Appendix 7.9 AIS Track of Vessel Grounding.



Appendix 7.10 Vessel Track 15th January 2012: Period: 05:28hrs-05:38hrs

Time	Heading [°]	Course [°]	Speed over ground [SOG] kts.	Remarks Heading – variation from subsequent value [°]
05:28	007.5	005	3.5	-
05:29	355	339	3.8	12.5
05:30	338.1	334	4.11	16.9
05:34	325.5	324	4.3	1.5 51°32.37N 9°5.95W
05:35	326	-	2.8 ~ 0.5	0.5

Appendix 7.11 Remains of aluminium wheelhouse recovered.



Photo 1



Photo 2

Appendix 7.11 Remains of aluminium wheelhouse recovered.



Photo 3

Appendix 7.12 Glossary of Terms

GLOSSARY OF TERMS USED:

AIS:	Automatic Identification System
ALB:	RNLI All-Weather Boat
Amb.Ctrl:	Ambulance Control
Bsct:	Broadcast
CUH:	Cork University Hospital
EPIRB:	Emergency Position Indicating Radio Beacon (signal contains Vessel Identification details - MMSI)
ETA:	Estimated Time of Arrival
GMDSS:	Global Maritime Distress and Safety System
IRCG:	Irish Coast Guard.
LOM:	RNLI - Lifeboat Operations Manager
MMSI:	Maritime Mobile Service Identity
MRCC:	Marine Rescue Coordination Centre
OSC:	On Scene Coordinator
POB:	People on Board
RIB	Rigid Inflatable Boat
R115:	SAR Helicopter based at Shannon.
R117:	SAR Helicopter based at Waterford.
SART:	Search and Rescue Transponder
Valentia MRSC:	Valentia Marine Rescue Sub-Centre
VMS:	Vessel Monitoring System
VS&T:	Coast Guard - Voluntary Service & Training

8. CORRESPONDENCE RECEIVED

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CORRESPONDENCE 8.1

Correspondence 8.1 Mrs Caitlin Hayes and MCIB Response.

In response to Mrs Hayes' correspondence, widow of deceased Skipper Mr Michael Hayes, it is proposed to answer each section in sequence.

Draft Report : Tit Bonhomme

1. The report has omitted key details, which include that a person was cited in the water minutes before Abdul was found. A member of the Waterford helicopter crew clearly stated this on the 'Search and Rescue' show on RTE back in November, coupled with some footage. Surely this sighting is important, and should be coupled with information on what action was taken to recover this person.

Also, there is inadequate information given on the sighting of a casualty, by the 'Brian Eoin'. (P.32)

2. I am absolutely appalled to learn that a helicopter sitting on the ramp in Shannon is not fully fuelled and ready for flight. Considering that this is the closest Helicopter to Glandore and the surrounding areas it should be fuelled for such journey's where it is the primary Helicopter tasked in an emergency. Not carrying sufficient fuel means that this service is not available 24 hours. To also say that there was a problem with a Fuel Bowser is shocking and unacceptable. How could this happen? Who's responsible and when was it checked last?

2.2 Did the Waterford Helicopter have to refuel? It was stated that Shannon Helicopter was +14 minutes on the standard response time of 45 minutes. However Waterford Helicopter was airborne in 20 minutes. There is a huge discrepancy between the times, and it is evident that given the critical nature of the incident, coupled with the number of casualties expected, that both Helicopters should have been tasked. If this wasn't possible the Helicopter with the quickest response time should have been tasked.

I personally believe had the helicopter been there sooner we would be looking at 3 survivors.

MCIB RESPONSE: The MCIB was aware of this programme and has viewed it. The MCIB acknowledges that priority must be given to rescuing survivors.

MCIB RESPONSE: There is no standard fuel configuration state of readiness as it would be unwise and possibly unsafe to enforce a deadline over the safety of any Coast Guard SAR Helicopter. The Coast Guard's Standard Operational Procedures (SOP) notes that there may be a delay for long range missions. The Coast Guard state that, on average, 7% of missions will require a reconfiguration or fuel load adjustment. It also states that additional pre-flight preparation may be required. In this case the weather conditions required additional pre-flight briefing. It must be noted that refuelling aircraft requires specialised connection between the fuel bowser and the aircraft as aviation spirit is highly inflammable. Occasionally these connectors fail to "catch" as happened in this case.

The reason that the Waterford Helicopter R117 was airborne within 20 minutes of tasking was that it had been put on standby as the extent of the incident unfolded therefore the crew commenced flight planning and reconfiguration in advance of being tasked. It must also be noted that the dangers of having two helicopters simultaneously in the same airspace at night in bad weather could be extremely dangerous. Furthermore it is desirable to have one helicopter taking over from another helicopter as the latter reaches the end of endurance; this is highly efficient, particularly in a relatively small search area.

Correspondence 8.1 Mrs Caitlin Hayes and MCIB Response.

3. I question the delay in tasking Toe Head coast guard. This appears to have been a major mistake. It was the closest rescue craft to the accident. Note: it is the decision of the Coxswain whether to launch or not launch not that of a person sitting in a cosy office some distance away. They arrived on the scene +43minutes after being tasked; however it was 7.25 by this stage. If they were tasked at 6.02, the same time as the Baltimore lifeboat, they would have been on scene 6.46. In the end, Toe Head did launch in the dark and it was Tow Head that saw Abdul's lifejacket light flashing. I am certain that we would have had more survivors today if the rescue services had arrived on scene earlier.

4. It is stated that the vessel was manned in accordance with current regulations. (P.5). However in section 4.6.9; it is noted that the vessel proceeded to sea with 6 persons on board, while only carrying lifesaving equipment for five. The vessel was only permitted to carry 5 according to the report (P.18). On what grounds was the Tit Bonhomme only permitted to carry 5 people? The insurance policy states clearly that the boat was insured to carry 6 people.

I fully reject that statement in its entirety. The vessel carried SLA for 6 persons.

As the report stated the boat was manned in accordance with current regulations and therefore would have had the following:

- o 2 x 9 man life-rafts
- o 8 life jackets

2

MCIB RESPONSE: The launch criteria for the Coast Guard to launch are well set down. It must be noted that the Coast Guard boats are not all equipped for night operation in extreme weather. The Coast Guard use the triple lock system in their launch criteria. First the SMC must request launch considering sea and weather conditions and the capability of the boat in question.

Secondly the officer in charge must accept the request having regard to the conditions and thirdly the boat coxswain must agree that the boat and crew are within the capability of launching. In this incident it was regarded that launching small RIB in the sea conditions on a dark night would have put the lives of the volunteers at great risk and so did not pass the test.

When the RNLI all-weather lifeboats arrived the RIB was launched as there was afloat all weather safely cover.

Correspondence 8.1 Mrs Caitlin Hayes and MCIB Response.

- *2 M.O.R with life rings
- 2 life rings with line
- 4 line throwers
- 12 Parachute flares
- 6 P.F.D's
- 6 Emersion suits and all the relevant publications

5. It states that the Skipper was the only one wearing any form of buoyancy (4.6.2) and it also notes on P.37 that Michael Hayes was the only person wearing a PFD when recovered. However, from speaking to Abdul, he clearly stated that 'abandon ship' lifejacket's were given to each crew member and that each managed to put them on. I believe you have this information available to you. Abdul also stated that his lifejacket was swept off him in the sea. The report fails to state this information and fails to explain why the casualties may not have been wearing there lifejackets. Is there a reason why the witness account is only partially referenced throughout the report?

5.2. I completely reject statement 4.6.2. It was stated that the Skipper was fully qualified and certified. Plus he had worked as a coxswain with the RNLI for many years. Considering this information, it is certain that he would have known which lifejackets were appropriate for an 'abandon ship' situation. Michael Hayes wore the PFD as it was in his workplace, the wheelhouse, and he would have grabbed it immediately at first sign of trouble. Abdul stated that Michael Hayes had taken the lifejackets from the

MCIB RESPONSE: The Fishing Vessel Safety Record of Equipment which is attached to the Tit Bonhomme Certificate of Compliance clearly states that the vessel only carried 5 (five) immersion suits and therefore must have a crew limitation of 5 (five). The insurance policy is not relevant to this issue. Furthermore on a point of accuracy the record also shows that the boat carried 2 six man liferafts, not nine man.

Correspondence 8.1 Mrs Caitlin Hayes and MCIB Response.

emergency cabinet. The 'abandon ship' lifejackets were located in this emergency cabinet; with the PFD's located down in the crew members work area.

Based on this information I reject the notion that 'if drills had been carried out as required it may have resulted in the wearing of the appropriate 'abandon ship' lifejackets rather than the working PFD's' (P.18). According to information given by Abdul the correct lifejackets were distributed and worn by the crew members.

6. With reference to section 5.1; considering the short duration of the trip, I do not believe fatigue was an issue. The report has made a sweeping statement about the cause of the crash without any concrete or supporting evidence, with nothing but an assumption as to what could have caused it. Did the survivor Abdul state that they were excessively tired or over worked on this occasion? Is it not just as likely that whoever was on watch could have gone to the bathroom or left the wheelhouse for a few moments to return just before the impact?

7. Section 5.2 implies that the crewmembers appeared not to be familiar with the radio equipment as no radio message was sent. The report also states that the vessel was fitted with a SART, an EPIRB and a hand held VHF, and that any of these could have been used to send a radio signal.

8. With reference to P.36 regarding the EPIRB alert. It states that the EPIRB was first detected at 5.57. Although an exact location was not known at this stage, it is known that the boat is submerged. At 6.09 the exact position is found. Why, considering that an emergency call was made, coupled with an EPIRB alert, was there a delay in tasking the Waterford Helicopter.

4

MCIB RESPONSE: The investigation endeavours to find fact and does not indulge in surmise. When the bodies were recovered, only Mr Hayes was wearing any form of buoyancy, i.e. a PDF.

MCIB RESPONSE: The vessel was fitted with an auto pilot, Navitron NT920. The record shows that the vessel was operating on autopilot up to the stranding. When recovered the unit was showing an indicated reading of 110-112 degrees. The mode control was set at "Permanent Helm". The auto pilot was not fitted with an off course alarm and the GPS "Waypoint Reached" warning would not have sounded as the waypoint was Adam's Island itself. Visibility was shown as moderate to poor in drizzle.

MCIB RESPONSE: There is no evidence that any of the crew made an emergency call by radio. However the EPIRB did activate and this distress signal was "position confirmed" at 06:15hrs. It was recovered at 07:35hrs still transmitting.

MCIB RESPONSE: It is not unknown that EPIRBs accidentally activate, either by heavy seas, being struck or by malfunction. When the position was resolved and the vessel identified efforts were made to contact Mr Hayes and Mrs Hayes. When these were unsuccessful a full alert was activated.

Correspondence 8.1 Ms Caitlin Hayes and MCIB Response.

Given the experience and qualifications of the Skipper and the crew members I oppose the notion that they were simply so unfamiliar with the equipment that they couldn't use it. Again the survivor, Abdul stated that they were in complete darkness, with extremely difficult conditions, with water filling the wheelhouse nearly immediately. Surely this may be the reason that the radios were not accessed, as opposed to the notion that no member of the crew could work the radio equipment. It should also be noted that Abdul never stated that they were in a position to get access to the radio equipment mentioned.

In conclusion the report is lacking some important details which specify that there were people in the water for a number of hours. The report omits to reference the survivor's accounts of the event, especially information relating to lifejackets and the reason for using a mobile phone. An emergency call was however made, and this should be sufficient for rescue services to take action. Once this call was made, the crew members may not have been able to access the radio equipment, and given the situation would have prioritised getting everybody's lifejackets on, instead of sending out a second mayday call.

Also, the EPIRB confirmed that the boat was sunk at 5.57. At this stage it is known that the boat is submerged and the number of people on board. With the potential of having a number of people in the water all rescue services should have been employed, including Waterford Helicopter and Toe head lifeboat. However Waterford was not tasked until 06.34, 37 minutes after the first EPIRB alert, which had confirmed the severity of the situation. Secondly, if there was any indication of the SAR 115 being delayed, the next available helicopter should have been tasked immediately.

MCIB RESPONSE: In 3.3.13 Mr Abdelbaky Abdelgawad Mohamed stated that the crew were unsuccessful in activating the McMurdo hand held VHF's they had found in a drawer.

Correspondence 8.1 Ms Caitlin Hayes and MCIB Response.

Had this been done it is my belief that we would have had more survivors. The realisation that there were people in the water for a number of hours after the incident is hard to believe and totally unacceptable. None of the information provided in the report justify an arrival time of 1hr 52mins to a mayday call of a sinking ship.

I expect that the above information be acknowledged and clearly answered in the report.




MCIB RESPONSE: This has been answered, see previous.

MCIB RESPONSE: The report has fully taken the survivor's statements into account. The MCIB wish to make the following points.

1. The grounding was obviously very sudden and without warning.
2. The weather was bad, gale or near gale winds out of the South Coast with gusts of 30-35knots. A very heavy sea was running (3.7-4 metres at Kinsale gas platform and 3.3-3.6 metres at buoy M5). This would have meant large breaking waves at Adam's Island which would have broken up the vessel very rapidly.
3. The emergency call was made by mobile phone and was very broken up. It was not possible from this call to identify which vessel the call was being made from.

CORRESPONDENCE 8.2

Correspondence 8.2 Coast Guard and MCIB Response.



John McDonnell, B.L.,
Chairman
MCIB

Dear John,

Thank you for a copy of the draft MCIB report into the loss of the F/V Tit Bonhomme and the opportunity to add some extra detail with regard to the conduct of the emergency response:

1. Para 2.6. Shore authority

- a. 2.6.2 The Coast Guard's Marine Rescue Sub-Centre at Valentia Island retained coordination authority throughout. At no stage did it pass to the National Maritime Operations Centre (NMOC) in Dublin.
- b. 2.6.3 Local coordination took place from the IRCG's Incident Command Centre in Union Hall but overall maritime coordination authority remained with Valentia Coast Guard. The shoreline response is carried out in aid to the civil authority which was An Garda Síochána.
- c. 2.6.5 please add 'Community Rescue Boats'.
- d. 2.6.8 Please add 'Civil Defence' and 'BIM' to the list.

2. Para 3.3 Saturday 14th January 2012

- a. 3.3.16 The volunteers in the Coast Guard boat that rescued the sole survivor Mr. Abdelbaky Abdelgawad Mohamed showed considerable skill in effecting this operation in difficult seas. Indeed in doing so they put themselves in personal danger which is evidenced by the damage sustained by the hull and propellers of the craft in getting a crewmember onto the rocks. It would be very welcomed if the bravery and professionalism of these volunteers could be noted?

Director's Office, Irish Coast Guard, Department of Transport, Leeson Lane, Dublin 2, Ireland.
Oifig an Stiúrthóra, Garda Còsta na hÉireann, An Roinn Iompair, Lána Chill Mochargán, Baile Átha Cliath 2, Éire.
Tel: + 353 1 6783440, Fax: + 353 1 6620930, email: chrisreynolds@transport.ie

MCIB RESPONSE:
The MCIB notes the above and has made the necessary amendments.

MCIB RESPONSE:
The MCIB notes the above and has made the necessary amendments.

The reference to point 2.6.8 at d. above refers to a point from the draft report. In the final report this corresponds to paragraph 2.6.7 on page 8.

Correspondence 8.2 Coast Guard and MCIB Response.

- b. 3.4.3 It is correct to note that a launch target would normally be 45 minutes at 0600. However this is a standard fuel / configuration state of readiness and not a hard target as it would be unsafe and unwise to enforce a deadline over the safety of the aircraft. The priority of crew safety is recognised in the Coast Guards standard operational procedures (SOP's) at annex A which notes that 'there may be a delay for long range missions'. On average 7% of missions will require a re-configuration or fuel load adjustment or additional pre-flight preparation before a safe dispatch can be made. The 2012 average dispatch time when such a re-configuration, fuel load change and/or additional flight planning due weather was required for safety reasons was +6 minutes. Refuelling and defueling Rescue 115 by bowser has been standard practice for 20 years with no particular difficulties. Though regrettable that any delay occurred we estimate that the actual delay caused by the bowser was between 5 and 8 minutes.
- c. 3.4.9 Glandore & Castlerefke are Coast Guard Search Units and do not have boats.

MCIB RESPONSE:
The MCIB notes the comments above.

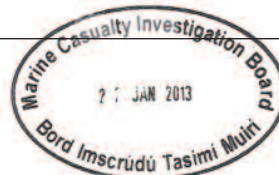
3. Para 4.7 Search and Rescue Response

- a. 4.7.4 In the case of simultaneously tasking two neighbouring helicopters during the night to the same mission the SAR Mission Controller (SMC) will also have to be cognisant of the possible consequences including:
 - i. the dangers of two helicopters in the same conflicting air space, at night and in bad weather;
 - ii. the potential for overlapping crew fatigue and short term non-availability of either or both helicopters particularly with regard to other emergencies materialising at the same time at the other end of the helicopters coverage area;
 - iii. the desirability of having a second helicopter 'taking over' as the first helicopter approaches the end of its endurance (either aircraft can rescue a full crew from a vessel such as the Tit Bonhomme); or
 - iv. their need to be used later in the morning on another mission possibly at long range

and so should be cautious in this matter.

Putting the second helicopter on standby would therefore be good practice in the initial few minutes as the extent of the incident unfolded. Crew would attend at the aircraft base and commence flight planning and re-configuration in advance of an actual tasking.

MCIB RESPONSE:
The MCIB notes the comments above.



Correspondence 8.2 Coast Guard and MCIB Response.

- b. 4.7.5 We would recommend the insertion of the word “routinely” before declared. Our launch criteria have what is termed a triple lock. Firstly the SMC must request launch after considering sea and weather and the capability of the individual boat. Secondly the Officer in Charge must accept the request having regard to the conditions and finally the boat coxswain must agree the launch is within the boat and crews capability. In this incident launching a small rib alone into the sea conditions on the night would have put the lives of the volunteers in peril and so did not pass this test. The boats later tasking and launch coincided with the arrival of both RNLI All-Weather Boats and enabled the rib carry out the hazardous rescue of the sole survivor under an afloat all-weather safety cover. As mentioned above this boat sustained significant damage on the night.

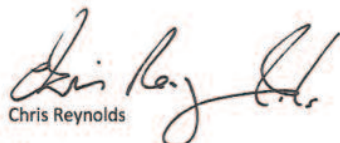
MCIB RESPONSE:
The MCIB notes the above comments and has made the necessary amendments.

4. Para 5. Conclusions

We strongly endorse the importance of contacting the Coast Guard early, even if only to ask for the vessel to be actively monitored over a period. Our experience is that if a Skipper believes he *may* be in trouble he already *is* in trouble; and if thereafter a Skipper finally accepts that he is in trouble it's often too late.

Finally the Coast Guard would like to add its voice to all the others raised in praise of the volunteer services and the local Union Hall and Glandore community who responded to this tragedy with urgency, commitment and sensitivity.

MCIB RESPONSE:
The MCIB notes the comments above.


Chris Reynolds

Director


Irish Coast Guard

21st January 2013



The reference to point 4.7.5 at b. above refers to a point from the draft report. In the final report this corresponds to paragraph 4.8.5 on page 19.

Correspondence 8.3 Naval Service and MCIB Response.



**Óglaigh
na hÉireann**
DEFENCE FORCES IRELAND

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Ceanncheathrú Chabhlaigh
Naval Service Headquarters

NHQ/A/OPS/1

22 January 2013

Assumpta Dowd,
Secretariat,
Marine Casualty Investigation Board,
Leeson Lane,
Dublin 2.

Ass /s Dowd


NAVAL SERVICE OBSERVATION MCIB DRAFT REPORT – TIT BONHOMME

Reference A “Draft Report of the Investigation into The Sinking of the Motor Fishing Vessel TIT Bonhomme near Glandore Harbour, West Cork on 15 January 2012” dated 28 December 2012

1. Ref A has been examined by Naval Service Operations Command and the following observations were made:
 - a. **Para 3.4.11.** Delete “arrived on scene from Galway at 15:32hrs” and insert “arrived on scene from Cork Harbour at 15:30hrs”.
 - b. **Appendix 7.6 Time 11:34.** Delete “LE Niamh proceeding ex Galway ETA 15:00hrs” and insert “LE Niamh proceeding to recall crew and depart ex Cork Harbour ETA 15:30hrs”.
 - c. **Appendix 7.6 Time 11:34.** Delete typo “Nava”.
 - d. **Appendix 7.6 Time 13:57.** Delete “LE Niamh ETA” and insert “LE Niamh reports ETA on scene 15:30hrs”.
 - e. **Appendix 7.7.** The following table should be inserted –

Unit – Naval Service	Tasked Time UTC	Crew/Team recalled and response activated	ETA	Distance N Miles	Arrival on Scene	Remarks
LE Niamh	11:34	11:35	15:30 Valentia advised	44	15:30 (+3:55)	Assumed OSC until 25 th

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Ceanncheathrú Chabhlaigh, Bunáit Chabhlaigh, Inis Sionnach, Co. Chorcaí
Naval Service Headquarters, Naval Base, Haulbowline, Cobh, Co Cork
t: +353 (0) 21 486 4801
www.military.ie

Correspondence 8.3 Naval Service and MCIB Response.

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			13:57			Jan 2012 and handed over OSC to LE Orla until 31 Jan 2012.
Naval Service Diving Section	11:34	11:35				

2. Submitted as requested.



M MELLETT
COMMODORE
FLAG OFFICER COMMANDING NAVAL SERVICE



MCIB RESPONSE:
The MCIB notes the contents of this correspondence and has made the necessary amendments.

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Correspondence 8.4 Frank Ward Solicitors and MCIB Response.

Our Ref: LG/LB

Your Ref: MCIB/12/210

30th January 2013.

STRICTLY PRIVATE AND CONFIDENTIAL

Mr. John O'Donnell,
Chairman
Marine Casualty Investigation Board
Leeson Lane,
Dublin 2.

**Re: Investigation into the sinking of the "Tit Bonhomme"
near Glandore Harbour, West Cork, 15th January 2012.**
Our clients: Mr. Abdelbaky Mohamed Survivor.

**And The Estate of Saied Aly El Din Deceased.
The Estate of Attia Shaaban Deceased.
The Estate of Wael Mohamed Deceased**


Dear Sir,

We refer to the above and have now had an opportunity to consider the report as furnished by you.


Having taken our clients' instruction we confirm that we do not wish to embark on any course of action which involves a further delay of the finalisation of the investigation into this tragedy and therefore, while we have not had the opportunity of engaging our own expert with a view to addressing the technical matters contained in your report, we do not propose to make any submissions at this time and look forward to the earliest possible publication of this investigation report.

We trust this suffices.

Yours sincerely,


Frank Ward & Co.

FRANK WARD & CO
SOLICITORS




Frank Ward B.C.L.
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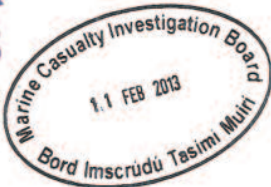
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MCIB RESPONSE:
The MCIB notes the contents of this correspondence.

CORRESPONDENCE 8.5

Correspondence 8.5 RNLI and MCIB Response.


Lifeboats


Marine Casualty Investigation Board
Bord Imscrúdú Taisimh Muir

Royal National Lifeboat Institution
Chairman: Admiral the Lord Boyce KC CB CBE DL
Chief Executive: Paul Bolsiger
RNLI (Trading) Ltd 010728377, RNLI (Sole) Ltd 2002540 and RNLI (Reserve) Ltd 1194000
are all companies registered at West Quay Road, Poole, Dorset, BH15 1ET

Ms. Cliona Cassidy BL
Chairman (Designate)
Marine Casualty Investigation Board
Leeson Lane
Dublin 2
Ireland

7TH February 2013

Dear Ms. Cassidy

REPORT INTO THE FOUNDERING OF F/V TIT BONHOMME


I thank the Board on behalf of the RNLI for giving me the opportunity to comment on the report.

It goes without saying that our thoughts are with the families and friends of all those who were lost in such tragic circumstances so close to a safe haven.

This was a maritime tragedy that touched a nation and which so clearly demonstrated a quite humbling sense of community. It also highlighted the pivotal role of volunteers from all walks of life in emergency response both afloat and ashore.

It is beholden on all those involved in maritime safety to work together and pool resources in order to reduce the likelihood of such tragedy's occurring in the future, especially through the use of awareness campaigns, education and lessons learned.

Kindest regards



Martyr Smith
Regional Operations Manager
Ireland and the Isle of Man

The RNLI is the charity that saves lives at sea
Charity number 2678 in the Republic of Ireland and registered in England and Wales (209603) and Scotland (SC037736)

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

