

MCIB

Marine Casualty Investigation Board
Bord Imscrúdú Taisní Muirí



**REPORT OF AN INVESTIGATION
INTO A FATAL INCIDENT
INVOLVING THE FISHING VESSEL
“MIRROR OF JUSTICE”
TEELIN, CO. DONEGAL
26 AUGUST 2020**

**REPORT NO. MCIB/302
(No.2 OF 2022)**

The Marine Casualty Investigation Board (MCIB) examines and investigates all types of marine casualties to, or on board, Irish registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

The MCIB objective in investigating a marine casualty is to determine its circumstances and its causes with a view to making recommendations to the Minister of Transport - for the avoidance of similar marine casualties in the future, thereby improving the safety of life at sea and inland waterways.

The MCIB is a non-prosecutorial body. We do not enforce laws or carry out prosecutions. It is not the purpose of an investigation carried out by the MCIB to apportion blame or fault.

The legislative framework for the operation of the MCIB, the reporting and investigating of marine casualties and the powers of MCIB investigators is set out in the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

In carrying out its functions the MCIB complies with the provisions of the International Maritime Organisation's Casualty Investigation Code and EU Directive 2009/18/EC governing the investigation of accidents in the maritime transport sector.



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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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Glossary of Abbreviations and Acronyms

ALB	All Weather Lifeboats
AGS	An Garda Síochána
C	Celsius
CG	Coast Guard
CoP	Code of Practice ^{*Note 1}
DELTA	D-Class Inshore Lifeboat
EPIRB	Emergency Position Indicating Radio Beacon
FV	Fishing Vessel
GPS	Global Positioning System (navigator)
MCIB	Marine Casualty Investigation Board
MN	Marine Notice
MOP	Member of the Public
MRSC	Marine Rescue Sub-Centre
MSO	Marine Survey Office
PFD	Personal Flotation Device
PLB	Personal Locator Beacon
RNLI	Royal National Lifeboat Institution
SART	Search and Rescue Transponder
S.I.	Statutory Instruments
VHF	Very High Frequency
Kilogram	Kg
Kilowatts	kW
Metres	m
Millimetres	mm
Nautical miles	NM

*Note 1: Code of Practice: Design, Construction, Equipment and Operation of Small Fishing Vessels of less than 15 m Length overall (2014) can be downloaded in electronic format at:
<https://www.gov.ie/publication/b2d313-code-of-practice-fishing-vessels-less-than-15m-length-overall/>

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Produced 24th February 2022.

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1. SUMMARY

- 1.1 On 26 August 2020 the fishing vessel (FV) “*Mirror of Justice*” drifted onto rocks west of Teelin Bay, Co. Donegal. An extensive search and rescue operation was implemented to try to find the lone Fisher who owned and operated the vessel. Due to an Atlantic swell the vessel broke up on the rocks on which it grounded. Shortly afterwards the Casualty was found floating nearby wearing flotation type oil skins but no Personal Flotation Device (PFD).

Note: All times are local time = Co-ordinated Universal Time (UTC) unless specified.

2. FACTUAL INFORMATION

2.1 Vessel Details

Name of Vessel: *“FV Mirror of Justice”*.

Fishing Number: S0777.

Port of Registry: Sligo.

Dimensions: Length 9.27 metres (m). Breadth 3.28 m. Depth 1.28 m.

Engine: C Power Ford 53.72 Kilowatt (kW).

Call Sign: EI 5835.

Description: Half decked clinker built wooden boat, built in 1984 by Craig Boat Builders in Inver, Co. Donegal. It had a forward wheelhouse and inboard diesel engine. The layout, typical of this design of vessel, comprised a decked storage fore peak area, a wheelhouse just forward of midships and a main deck. The floor of the wheelhouse and the main deck were not sealed like in modern boats but were made up of loose boards, fitted and supported on beams. The engine was beneath the standing area in the wheelhouse and access to the engine was gained by lifting the floorboards, or by removing a covering box just aft of the wheelhouse.

Area of Operation: Kilcar and surrounds within five miles of a safe haven.

See Appendix 7.1 Photograph No. 1 - *“FV Mirror of Justice”*.

See Appendix 7.2 Photograph No. 2 - *“FV Mirror of Justice”* at Sea.

2.2 Code of Practice

The *“FV Mirror of Justice”* was a commercial, licenced fishing vessel and was surveyed according to the Code of Practice (CoP) for fishing vessels less than 15 m in length. The aim of the CoP is to set standards of safety and protection for all persons on board small fishing vessels of less than 15 m length overall, which go to sea to fish for profit. The last survey was carried out on 31 May 2017, valid until 30 May 2021 by a Marine Survey Office (MSO) approved surveyor for fishing vessels less than 15 m length overall.

2.3 Safety Equipment

In order to comply with the CoP, the following safety equipment relevant to this case is required, and was sighted and inspected during survey where so marked:

From Chapter 4.4.1	Anchor	One 24 kilogram (kg) with 9 m of 8 millimetres (mm) chain and 40 m rope.
From Chapter 7.3	Lifejacket	One for every person on board - One sighted.
From Chapter 7.5	Lifebuoys	Two (one with 18 m of rope attached).
From Chapter 7.6	PFDs	One for every person on board - One sighted.
From Chapter 7.8	Flare Pack	Six red star hand flares.
From Chapter 9.4	Radio Equipment	Very High Frequency (VHF) radio installed for sea area A1.
From Chapter 9.5	Emergency Position Indicating Radio Beacon (EPIRB) Personal Locator Beacon (PLB)	Installed for all sea areas.

See Appendix 7.3 Code of Practice Declaration of Compliance.

2.4 Crew Details

The “*FV Mirror of Justice*” was owned and operated by a 75 year old, experienced Fisher since 1988.

2.5 Voyage Particulars

Fishing for squid using rod and reel, west of Teelin Harbour. Departed Cladnageragh at approximately 09.30 hrs and expected to return by about 20.30 hrs on the same day. The Skipper of the “*FV Mirror of Justice*” left a note for his wife to say he was going to “Green nose”, a fishing area between Slieve League and Rathlin O’Birne, marked as “Giants-rump” on the chart, approximately 3.5 nautical miles (NM) west and along the coast from Teelin Bay. The operation involves the use of several rods and reels and special types of lures called squid jigs. Squid are caught in areas with stony sea beds and finding an area where squid are present is a matter of trial and error or by using local knowledge. Any catch was to be sold to market.

See Appendix 7.4 Sea Fishing Boat Licence.

2.6 Type of Casualty

This was a very serious marine casualty resulting in one fatality and the loss of the vessel.

2.7 Emergency Response

The SitRep is recorded in Zulu or UTC time (local time is UTC+1 and is used throughout this report).

SITREP1/UIIN1811/20

Transmission ROUTINE 26 22:56 hrs Aug 20

From MRSC Malin

Incident MAR SAR- BOAT ON THE ROCKS - TEELIN

26th August 2020

19:22 hrs	MOP REPORTS BOAT ON THE ROCKS NEAR ENTRANCE TO TEELIN HARBOUR
19:29 hrs	KILLYBEGS CG TASKED
19:34 hrs	R118 RETASKED FROM UIIN1806
19:37 hrs	ARANMORE RNLI REQUESTED
19:42 hrs	R118 ONSCENE COMMENCING SEARCH.
19:52 hrs	REQUESTED AGS TO TEELIN
20:02 hrs	KILLYBEGS CG DELTA ONSCENE
21:16/37 hrs	ARANMORE ALB ONSCENE COMMENCING SEARCH/ APPOINTED ONSCENE CO-ORDINATOR
22:15 hrs	CASUALTY LOCATED AND BROUGHT TO TEELIN PIER BY KILLYBEGS CG DELTA.
22:49 hrs	R118 RTB
23:12 hrs	CASUALTY AT TEELIN PIER WITH AGS AWAITING HEARSE.

27th August 2020

01:35 hrs KILLYBEGS CG RTB AND CONFIRM CASUALTY TAKEN BY HEARSE TO LETTERKENNY.

01:55 hrs ARANMORE ALB RTB

2.8 Weather

Cloudy and mostly dry with only isolated patches of light rain. Weather information source: Met Éireann, Climate Services, estimated for the period from 12.00 hrs UTC to 19.00 hrs UTC on 26 August 2020.

- 2.8.1 Wind: Moderate occasionally fresh at first - Beaufort 4 or 5 (mean wind speed 15 - 20 knots) and occasional gusts up to 25 knots. The winds gradually decreased during the period to light - Beaufort force 3 (mean wind speed 8 to 10 knots) by the end of the period. Wind direction was westerly and backed south-westerly later in the period.
- 2.8.2 Air temperature: 15 or 16 degrees Celsius (C).
- 2.8.3 Visibility: Generally good visibility (greater than 5 NM) occasionally moderate (2 to 4 NM) in isolated outbreaks of light rain.
- 2.8.4 Estimated sea state: Moderate occasionally rough with an estimated significant wave height (combined wind-wave + swell) of 1.5 to 2.5 m occasionally 3 m. Waves and swell moved into the area from a westerly direction. The estimated wave period: 5 or 6 seconds.

See Appendix 7.5 Met Éireann Weather Report.

2.9 Tidal Conditions

Tide information - www.tidetimes.co.uk/Killybegs 26 August 2020.

Note: All times in this report are local time unless specified.

HIGH TIDE: 12.28 hrs.

LOW TIDE: 18.21 hrs.

HIGH TIDE: 01.07 hrs.

2.10 Fatigue

Fatigue has been identified as an important contributing factor to maritime casualties and to health problems of seafarers. One of its sources is excessive hours of work or insufficient rest. Hours of work and rest on fishing vessels are governed by S.I. No. 709 of 2003 European Communities (Workers on Board Sea-going Fishing Vessels) (Organisation of Working Time) Regulations 2003, and S.I. No. 672 of 2019 EUROPEAN UNION (INTERNATIONAL LABOUR ORGANISATION WORK IN FISHING CONVENTION) (WORKING HOURS) REGULATIONS 2019.

Regulation 7 of S.I. 672 of 2019 states the following:

7. (1) *A fisherman on board a fishing vessel shall not be required to work in excess of -*
1. *(a) 14 hours in any 24 hour period, and*
 2. *(b) 72 hours in any 7 day period.*
- (2) *A fisherman on board a fishing vessel shall have not less than -*
1. *(a) 10 hours rest in any 24 hour period, and*
 2. *(b) 77 hours rest in any 7 day period.*
- (3) *The hours of rest referred to in paragraph (2)(a) may be provided in 2 rest periods where -*
1. *(a) one rest period is at least 6 consecutive hours, and*
 2. *(b) the interval between the first and the second rest period does not exceed 14 hours.*
- (4) *An owner shall comply with paragraphs (1) and (2) in respect of every fisherman on board the fishing vessel.*

As Owner/Fisher of the “*FV Mirror of Justice*” does not fall within the definition of a fisherman under S.I. 672, it therefore does not apply in this case.

S.I. 709 of 2003 which has similar working hours outlined in Regulation 6 does apply to the vessel.

Regulation 6 of S.I. 709 of 2003 states the following:

6. (1) *Subject to the limit of an average of 48 hours of work over a reference period not exceeding 12 months, the limits on hours of work and rest in respect of a worker on board a sea-going fishing vessel shall be either:*

(a) *maximum hours of work which shall not exceed:*

(i) *14 hours in any 24-hour period, and*

(ii) *72 hours in any seven-day period*

or

(b) *minimum hours of rest which shall not be less than:*

(i) *10 hours in any 24-hour period, and*

(ii) *77 hours in any seven-day period.*

(2) *Hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length and the interval between consecutive such periods shall not exceed 14 hours.*

2.11 Post Mortem Report

“There was no evidence of serious injury or of any significant pre-existing natural disease to cause or accelerate death. Toxicological analysis shows that there were no drugs or alcohol in the body at the time of his death. The cause of death was reported due to drowning.”

The results of the autopsy provided to the Marine Casualty Investigation Board (MCIB) at the time of publication are provisional. The determination of the cause of death is a matter for the coroner’s inquest.

3. NARRATIVE

3.1 “*FV Mirror of Justice*” departed Cladnageragh pier in Teelin Bay, Co. Donegal at approximately 09.30 hrs on 26 August 2020 to go fishing with one person on board and was expected to return by 20.30 hrs that same evening. The Skipper of the “*FV Mirror of Justice*” left a note for his wife to say he was going to “Green nose”, a fishing area between Slieve League and Rathlin O’Birne, marked as “Giants-rump” on the chart, approximately 3.5 NM west and along the coast from Teelin Bay.

See Appendix 7.6 Chart Teelin Bay.

3.2 The vessel was seen by members of the public on board a charter vessel at 15.15 hrs fishing in an area approximately two and a half miles west of Teelin Bay.

3.3 A close member of the Skipper’s (the Casualty) family reported that normally when returning to port the Skipper of the “*FV Mirror of Justice*” would stop in an area one half mile west of Teelin Bay for the last few casts of the day. The expected time of arrival in this area varied from day to day and depended on how successful fishing was during the day. This area is approximately one third of a mile south west of where what remains of the wreck of the “*FV Mirror of Justice*” now lies.

3.4 At approximately 19.30 hrs “*FV Barbarella*” was heading westwards to fishing grounds and passed “*FV Mirror of Justice*” west of Teelin Harbour entrance, heading eastwards at approximately six or seven knots. Once passed, the “*FV Barbarella*” turned and shot fishing gear. Having only towed for half a mile, the Skipper of the “*FV Barbarella*” noticed the “*FV Mirror of Justice*” stopped up close to the shore. The Skipper called the “*FV Mirror of Justice*” four or five times on the VHF radio and received no reply. Concerned, the Skipper of the “*FV Barbarella*” called another boat owner normally in the area, but who turned out was not on the water that day. He did however agree to walk down from his house and look to see if the “*FV Mirror of Justice*” appeared to be in trouble from the perspective of the shore.

3.5 Another vessel, “*FV Girl Denise*” was at Muckros Head, on its way back to Cladnageragh, having had repair work completed in Killybegs. The Skipper of the “*FV Barbarella*” called the Skipper of the “*FV Girl Denise*” at 20.14 hrs and asked him to have a look. Within five or six minutes the Skipper of the “*FV Girl Denise*” saw that the “*FV Mirror of Justice*” was laying against rocks in a foul area behind Teelin Pier, position 54° 37.268’N 008° 38.311’W. He relayed this information to the Skipper of the “*FV Barbarella*” who in turn called Malin Head Coast Guard (CG) Marine Rescue Sub-Centre (MRSC) Malin on VHF radio at 20.22 hrs. The Skipper of the “*FV Girl Denise*” could not see anyone on board the “*FV Mirror of Justice*” at this time.

3.6 Prior to this time two anglers fishing at the back of Teelin Pier had observed the “*FV Mirror of Justice*” drifting. They watched the vessel for approximately 15 minutes and became concerned that the vessel was too close to the shore and that there did not appear to be anyone on board. They clearly heard the “*FV Mirror of Justice*” making contact with the rocks, and called a local fisherman to relay this information, only to realise that the alarm had already been raised and they could see that the “*FV Girl Denise*” was already on site. One of the anglers interviewed noted that the time the “*FV Mirror of Justice*” made contact with the rocks was approximately 20.15 hrs

3.7 MRSC Malin requested Killybegs CG to respond at 20.29 hrs. At 20.34 hrs Rescue Helicopter R118 was tasked and arrived on scene at 20.42 hrs to commence searching. Meanwhile at 20.37 hrs the Aranmore Lifeboat was requested to attend.

3.8 At 21.02 hrs the Killybegs CG Delta RIB arrived on the scene. By this time several local vessels had also arrived to assist. The “*FV Mirror of Justice*” was on the rocks in a position making it very difficult for any attending vessels to reach it due to a 1 m sea swell.

See Appendix 7.7 Chart Grounding Point.

See Appendix 7.8 Photograph No. 3 - Wreck Site.

See Appendix 7.9 Satellite Image of Area.

3.9 At 21.08 hrs, having searched the area surrounding the vessel, Rescue Helicopter R118 lowered a winchman onto the deck of the “*FV Mirror of Justice*”. At this stage the vessel’s deck was awash and the deck boards were starting to float. The winchman could not see anyone on the deck or in the wheelhouse, and the helicopter reported to MRSC Malin that “*there was nobody in the cabin, on the rocks or on the cliffs nearby.*” He also reported that his PLB got wet.

See Appendix 7.10 Photograph No. 4 - Search Operation.

See Appendix 7.11 Photograph No. 5 - Winchman being Lowered.

3.10 Killybegs CG requested its shore team to join the search.

3.11 The owner of the charter boat mentioned in paragraph 3.2, relayed seeing the vessel earlier in the day, at 15.15 hrs, working in position 54°38.0’N 008°41.72’W, north west of Carrigan Head and MRSC Malin instructed Rescue Helicopter R118 to search from the vessel to Carrigan Head.

See Appendix 7.12 Chart Giants Rump to Teelin Indicating Position of Sighting in Afternoon.

- 3.12 At 22.16 hrs the Aranmore Lifeboat arrived on the scene and at 22.37 hrs accepted the role of on scene co-ordinator. An extensive search continued from Carrigan Head to Teelin and on to Tawny Bay and Muckros Head, involving the Aranmore Lifeboat, the Killybegs CG Delta RIB and shore crew, An Garda Síochána (AGS), Rescue Helicopter R118 and a number of local vessels.

See Appendix 7.13 Chart Carrigan Head to Muckros Head.

- 3.13 The “*FV Mirror of Justice*” broke up on the rocks due to the continued swell between 21.08 hrs when the helicopter winchman was lowered and 22.42 hrs when the EPIRB belonging to the vessel, having floated free, automatically activated.

- 3.14 At 23.09 hrs the Aranmore Lifeboat reported that the debris field was visible and moving slowly eastwards with the rising tide and requested the search be concentrated in this area.

- 3.15 At 23.14 hrs one of the local vessels involved in the search found a body in position 54°37.26’N 008°38.21’W among debris from the vessel. This was approximately 110 m from the position that the “*FV Mirror of Justice*” grounded on the rocks. The body was transferred onto the Killybegs Delta RIB and brought ashore at Teelin Pier. The Casualty, later confirmed as the Skipper of the “*FV Mirror of Justice*”, was wearing flotation type oil skin bottoms but no PFD. He was fully clothed including wellington boots. He was found with his mobile phone in his possession.

See Appendix 7.14 Chart Wreck and Recovery Points.

See Appendix 7.15 Satellite Image of Wreck and Recovery Points.

- 3.16 A search of the area during daylight the following day, 27 August 2020, was conducted and the Search And Rescue Transponder (SART), the Skipper’s PLB, the Global Positioning System (GPS) navigator and an inflatable PFD were recovered and brought ashore. The GPS navigator was sent to a local electronics company to ascertain if the vessels track could be recovered but was found to be irreparably damaged. The SART and the PLB were found to be operational but had not been activated and the lifejacket was automatically activated and deflated.

- 3.17 Family members inspected the scene at the wreckage site a couple of days after the event during calm weather and could see what remained of the vessel in 1 m of water. They took the photographs shown in Appendices 7.16, 7.17 & 7.18. The MCIB investigator visited the site on a later date and weather conditions on the day prevented close access to the site.

See Appendix 7.16 Photograph No. 6 - "*FV Mirror of Justice*" Wreck.
See Appendix 7.17 Photograph No. 7 - "*FV Mirror of Justice*" Wreck.
See Appendix 7.18 Photograph No. 8 - "*FV Mirror of Justice*" Wreck.

4. ANALYSIS

- 4.1 At 19.30 hrs on Wednesday 26 August 2020, the “*FV Mirror of Justice*” was seen underway, heading towards its home port. Shortly after this time the vessel stopped, the Skipper did not respond to calls from the “*FV Barbarella*”, and the vessel was next seen drifting and grounding onto the rocks just west of Teelin Bay. As noted in paragraph 3.3, a member of the Casualty’s family reported that normally when returning to port the Skipper of the “*FV Mirror of Justice*” would stop in an area one half mile west of Teelin Bay for the last few casts of the day. This area is approximately one third of a mile south west of where what remains of the wreck of the “*FV Mirror of Justice*” now lies. It is reasonable to assume that like other days the Skipper of the “*FV Mirror of Justice*” stopped his vessel in the area one half mile west of Teelin Bay. At this time, the wind speed had moderated to approximately eight to ten knots and had backed to a south-westerly direction, causing the vessel to drift in a north easterly direction.
- 4.2 The Owner was a competent, capable and experienced fisher with extensive knowledge of his vessel and of the area of operation. He departed at 09.30 hrs on the morning of the incident for what would be a long day’s fishing as he was not due to return until 20.30 hrs. Hours of work and rest on fishing vessels are governed by S.I. No. 709 of 2003 European Communities (Workers on Board Sea-going Fishing Vessels) (Organisation of Working Time) Regulations 2003, and S.I. No. 672 of 2019 EUROPEAN UNION (INTERNATIONAL LABOUR ORGANISATION WORK IN FISHING CONVENTION) (WORKING HOURS) REGULATIONS 2019. A maximum working day of 14 hours is allowed. The Skipper of the “*FV Mirror of Justice*” intended to return home within 11 hours. When the vessel was last seen under way at 19.30 hrs the Skipper would have been out for about ten hours. Despite being well within regulations it must be considered that ten hours on a small vessel, alone and subjected to a constant Atlantic swell will induce fatigue in anyone of any age.
- 4.3 At no time before or during the incident, were there any reports that the Skipper of the “*FV Mirror of Justice*” attempted to call for help either by VHF radio or by phone, which was found on his possession following recovery. He made no attempt to indicate distress with hand flares and there is also no evidence that he made any attempt to arrest the drift of the vessel by anchor or any other means.
- 4.4 The rescue helicopter lowered a winchman onto the deck of the “*FV Mirror of Justice*” at 21.08 hrs after it arrived on the scene. At this stage the vessel’s deck was awash and the deck boards were starting to float. In the case of a wooden half decked vessel, one or more boards (planks) will have been damaged very soon after the vessel made contact with the rocks and the

vessel will have been taking in water from then on. The continuous swell will have further damaged boards and by the time the winchman landed on the deck the vessel was effectively sunk on the shallow rocks. The winchman could not see anyone on the deck or in the wheelhouse. Since there appeared to be nobody on board the vessel, and there was nobody visible on the rocks or on the shore, the search operation was extended to cover the area from Carrigan Head, close to where members of the public had seen the vessel during the afternoon around 15.15 hrs, to the wreck site.

- 4.5 Shortly after the “*FV Mirror of Justice*” succumbed to the action of the Atlantic swell and broke up, around 23.15 hrs, the Casualty was found floating among the debris, only 110 m away. In all likelihood the Casualty died by drowning sometime between the time the vessel had been seen underway at 19.30 hrs and the helicopter winchman was lowered onto the deck at 21.08 hrs.
- 4.6 The injuries reported in the autopsy report are consistent with contact with rocks or with debris in the water. The autopsy also stated that there was no evidence of serious injury or of any significant pre-existing natural disease to cause or accelerate death.
- 4.7 Since very little remains of the vessel following breakup, it is not possible to assess the condition of it or it’s equipment.

The timeline was as follows:

- Just after 19.30 hrs the Owner of the “*FV Mirror of Justice*” stopped up his vessel for the last few casts of the day.
- Between 19.30 hrs and 20.15 hrs the vessel drifted in a north easterly direction and grounded on rocks.
- Between 20.15 hrs and 21.00 hrs the vessel sinks on shallow rocks.
- At 21.08 hrs the helicopter winchman was lowered onto the deck and reported that there was nobody in the cabin, on the rocks or on the cliffs nearby.
- Between 21.08 hrs and 22.42 hrs the vessel breaks up on the rocks.
- At 22.42 hrs the EPIRB sets off.
- At 23.14 hrs the Casualty is found, approximately 110 m from the grounding position, among the debris field moving slowly eastwards on the rising tide.

There are two possible scenarios to help explain what may have happened:

- 4.7.1 **Scenario A:** After passing the “*FV Barbarella*” at 19.30 hrs the Casualty stopped his vessel for the last few casts of the day, fell overboard and was unable to climb back on board. If this happened the Casualty could have succumbed to hypothermia very quickly.
- 4.7.2 **Scenario B:** After passing the “*FV Barbarella*” at 19.30 hrs the Casualty went below deck and became ill or got trapped. The Casualty would still have been in the vessel when the winchman was lowered on to the deck, perhaps beneath the floor of the wheelhouse, or in the fore peak storage compartment. In this scenario he would have drowned between 20.15 hrs when the vessel would have started to sink and 21.08 hrs when the helicopter winchman was lowered onto the deck.
- 4.8 The tides on 26 August 2020 were slack with a maximum tidal flow of 0.1 knot in the area considered. The MCIB has calculated that during the period from 19.30 hrs when the “*FV Mirror of Justice*” was seen underway and 23.15 hrs when the Casualty was recovered, an object in the water would drift eastwards for 0.3 miles. Had the Casualty fallen in the water in the position he stopped the vessel up, and provided he was not attached to the vessel, the tide would have had the greatest influence and the Casualty would have been recovered in a position 400 m south and 80 m east of the actual recovery position.
- 4.9 The “*FV Girl Denise*” was on scene, shortly followed by several local boats. Two anglers were watching from the shore and the helicopter was on scene 20 minutes after the distress was raised. Visibility was good and it was still daylight. Although the Casualty was not wearing his PFD, he was wearing flotation oilskin bottoms, which although not an approved PFD, would have kept the Casualty on the water surface and visible. The Casualty was also found wearing his wellington boots which most likely would have been discarded by a person struggling to climb back on board a vessel. Since there were so many eyes on the scene from the air, the water and from the shore, Scenario A considered above is unlikely as if the Casualty was in the water someone would have seen him.
- 4.10 The Casualty was later found at 23.15 hrs in the dark, floating among the debris field from the broken up vessel. Considering that the Casualty was found so close to the grounding position and among the debris from the vessel, and the fact that he couldn't be seen in the water before the vessel broke up then Scenario B is the more likely, and he was inside the vessel, having become ill or trapped below the floor boards or in the forward compartment.

- 4.11 The Maritime Safety Strategy published in 2015 (<https://www.gov.ie/en/publication/d00485-maritime-safety-strategy/>) has identified a number of issues relating to fishing vessels listed below. The strategy makes the point that it is up to each individual who takes to the water to take personal responsibility for their actions. The document contains analysis of the safety culture in the Irish Maritime Sector between 2002 to 2013 inclusive and notes the following with regard to fishing vessels:
- 4.11.1 Annex 2 Paragraph 6: *"The fishing vessel sector accounts for a significant proportion (39%) of all maritime fatalities and over a quarter (28%) of all IRCG call-outs in the sectors concerned. The Irish fishing fleet consists of over 2,100 vessels, and is divided into 3 length categories, i.e. fishing vessels less than 15m in length (90% of the fleet); fishing vessels between 15-24m in length (5% of the fleet); and fishing vessels greater than 24m in length (5% of the fleet). Ireland's regulatory regime reflects best international practice and follows international and EU regulations. Regulation covers vessel construction, equipment and operation, as well as training, manning and hours of work and rest."* - The regulations concerning the "FV Mirror of Justice" being the CoP for fishing vessels less than 15 meters in length and S.I. No. 709 of 2003 European Communities (Workers on Board Sea-going Fishing Vessels)(Organisation of Working Time) Regulations 2003.
- 4.11.2 Annex 2 Paragraph 8: *"There were 53 fatalities in the fishing vessel sector in the period from 2002-2013. 21 of the fatalities involved fishing vessels less than 15m in length; 24 fatalities involved fishing vessels between 15-24m in length; and 8 fatalities involved fishing vessels greater than 24m in length. The IRCG handled 2,888 call-outs involving fishing vessels in the period 2002-2013 (averaging 241 per annum)."*
- 4.11.3 Annex 2 Paragraph 9: *"Fishing vessel safety, particularly in relation to the small/medium fishing vessels, is of particular concern, accounting for a high proportion of the fatalities at sea and often with more than one fatality in a single incident, despite adequate regulation and a regular and comprehensive inspection regime. Since 2010, it is noteworthy that there have been 6 fatalities in the 15-24m category, and 11 on the less than 15m category."*
- 4.11.4 Annex 2 Paragraph 10: *"Based on analysis of MCIB investigation reports, there are a range of key factors contributing to loss of life in the fishing sector. The most prevalent factor is lack of crew training, followed by: deficiencies in safety equipment on board; unseaworthy/unstable/overloaded vessel; inadequate enforcement of regulations; and failure to plan journeys safely. A ranking of the prevalence of the factors is set out in Figure (v) below. The need for an enhanced maritime safety culture in the sector, to which personal responsibility is intrinsically linked, is a key underlying issue."*

Figure (v): Fishing Vessels – prevalence of recurring factors contributing to loss of life

F1	Lack of crew training.
F2	Unsuitable or inadequately maintained safety equipment on board, or lack thereof.
F3	Vessel unseaworthy, unstable and/or overloaded.
F4	Inadequate enforcement of regulations.
F5	Failure to plan journeys safely, including failure to take sea/weather conditions into account.
F6	Non-wearing of personal flotation device (lifejacket/buoyancy aid).
F7	Impairment due to fatigue or the influence of alcohol and/or drugs.
F8	Unsuitable clothing being worn on board.
F9	Inadequate crewing levels/solo operation.

Source: Based on MCIB reports 2002-2013
 Note: The first two factors listed are equally prevalent.

- 4.12 It can be seen in the table above, among the top ten list of recurring factors contributing to loss of life is inadequate crewing levels and/or solo operation. The “*FV Mirror of Justice*” was operated by a lone fisher. The CoP states that single handed operation should be restricted to 30 miles from a safe haven. The area of operation for the “*FV Mirror of Justice*” was only five miles from a safe harbour, however had another crewmember been present that person might have been in a position to raise the alarm and to take contingency measures.
- 4.13 Also among the top ten recurring factors contributing to loss of life is impairment due to fatigue. By the time of the incident the casualty had been out fishing on his own for about ten hours, and he was elderly. It seems probable that fatigue was a contributing factor either in leading to some health event, and/or contributing to an inability to get back on board or escape from the lower deck.

5. CONCLUSIONS

- 5.1 It is likely that the Skipper of the “*FV Mirror of Justice*” became ill or got trapped shortly after stopping his vessel in an area he was known to fish at the end of the day. It would appear that this happened when he was either beneath the wheelhouse floor or in the fore peak compartment, as he was not visible to the helicopter winchman.
- 5.2 All those who knew the Skipper of the “*FV Mirror of Justice*”, described him as being a fit, competent and experienced fisher, with a sound understanding of the risks involved in all fishing operations and who would have implemented appropriate contingency actions in the event of a breakdown or a distress situation.
- 5.3 The Skipper of the “*FV Mirror of Justice*” normally worked his vessel alone. He chose a type of fishing operation which could be considered less labour intensive than other types such as “potting”. Had there been another crewmember on board the “*FV Mirror of Justice*” on the day to raise the alarm or render assistance, the outcome could have been different. Fatigue may have been a contributing factor, but to what degree is impossible to quantify.
- 5.4 The Maritime Safety Strategy identified that the fishing vessel sector accounts for a significant proportion of all maritime fatalities, and that fishing vessels less than 15 m in length make up 90% of the Irish fishing fleet in numbers. Fishing vessel safety, particularly in relation to the small and medium fishing vessels is a particular concern. Among the key factors contributing to loss of life in the fishing sector is working alone and fatigue.

6. SAFETY RECOMMENDATIONS

- 6.1 The Irish Maritime Administration of the Department of Transport should intensify its efforts to promote maritime safety awareness, through a process of information and communication, and promote more effective communication between key stakeholders as detailed in the Maritime Safety Strategy.

7. APPENDICES

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Appendix 7.1 Photograph No. 1 - “FV *Mirror of Justice*”



Appendix 7.2 Photograph No. 2 - “FV Mirror of Justice” at Sea



Appendix 7.3 Code of Practice Declaration of Compliance



Design, Construction, Operation and Equipment of
Small Fishing Vessels of less than 15 m Length overall

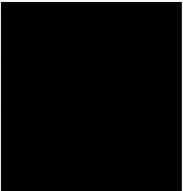
Code of Practice

Declaration of Compliance

To be completed by an Authorised Person

Name of Vessel	Fishing Letters & Number	Official Number	Port of Registry
Mirror of Justice	SO777	IRL000110821	Sligo
Overall Length (less than 15 metres)	Breadth	Depth	Date keel laid
9.27	3.28	1.28	1984
Engine Make & Model			Engine Power (kW)
C Power Ford			53.72
Call Sign	Radio Operators Cert no.	No of Crew	BIM Card no.
EI 5835	SRC 13818	1	8176

Declarations on page v1 to be signed by the Authorised Person and Owner

<p>Name, Address & Contact Number of Owner</p>	 
--	--

Appendix 7.3 Code of Practice Declaration of Compliance

Description of vessel including type of fishing vessel is engaged in
Open wooden boat with forward wheelhouse and inboard diesel engine Polyvalent general

Description of operational area
Kilcar and surrounds within 5 miles of a safe haven.

Chapter 2 Construction, Structural Strength and Weathertight Integrity

*2.1	Is hull suitable for the intended fishing method and sea areas?			Yes x / No <input type="checkbox"/>
*2.2	Construction Materials	Hull	Wood	Superstructure Wood
*2.3	Is structure sound, watertight & free from significant damage & corrosion?			Yes x / No <input type="checkbox"/>
*2.4	Do decks comply?			Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
2.5	Number of bulkheads	Non-watertight	-	Watertight -
*2.6	Do bulkhead doors comply with Annex 7 (2.3.4)?			Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
*2.7	Doors	Coaming height		-
		Are doors of sound construction and weathertight?		Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
2.8	Hatchway coaming height			-
*2.9	Can hatches be secured weathertight?			Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
*2.10	Do flush hatches comply?			Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x

Appendix 7.3 Code of Practice Declaration of Compliance

*2.11	Do skylights comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>
*2.12	Do side scuttles & portlights comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>
*2.13	Do windows comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*2.14	Do ventilators comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>
2.15	Is exhaust system acceptable	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*2.16	Do air pipes comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>
*2.17.2	Do sea inlets and discharges comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*2.18.3	Do valves, piping & hoses comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*2.19	Do freeing ports comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>

Chapter 3 Stability

*3.1	Is stability information supplied?		Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>
	Are requirements of Annex 7 applied?		Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>
*Annex 7 (para.4)	Stability standard applied	C.O.P.	
	Does vessel comply with roll test?		Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
	Freeboard	0.82	Roll coefficient
Annex 2	Are guidance notes on board?		Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>

Chapter 4 Machinery and Electrical Installations

4.1	Machinery	
*4.1.1.1	General Requirements - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.1.2	Propulsion Machinery and Stern Gear - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.1.4	Controls and Instruments - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.1.5	Steering System - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
4.2	Electrical Installations	
*4.2.1	General - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.2.2	D.C. Systems Up To 24 volts - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.2.3	A.C Systems - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>

Appendix 7.3 Code of Practice Declaration of Compliance

4.3	Pumping & Piping	
*4.3.1	Fuel Oil Installations - comply?	Yes x / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.3.2	Cooling Water Systems - comply?	Yes x / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.3.3	Bilge Pumping Systems - comply?	Yes x / No <input type="checkbox"/>
*4.3.4	Bilge Pumps - comply?	Yes x / No <input type="checkbox"/>
4.4	Anchors & Cables	
*4.4.1	General - comply?	Yes x / No <input type="checkbox"/>
*4.4.4	Towline - comply?	Yes x / No <input type="checkbox"/>
4.5	Fishing & Handling Equipment	
*4.5.1	Winches, tackles and lifting gear - comply?	Yes x / No <input type="checkbox"/> / NA <input type="checkbox"/>
*4.5.2	Running gear - comply?	Yes x / No <input type="checkbox"/> / NA <input type="checkbox"/>

Chapter 5 Fire Protection, Detection & Extinction

5.1	Fire Safety						
#5.1.1	Machinery space capable of being closed down?						Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
*5.1.2	Fire Prevention - comply?						Yes x / No <input type="checkbox"/>
*5.1.3	Cleanliness and Pollution Prevention - comply?						Yes x / No <input type="checkbox"/>
*5.1.4	Open-Flame Gas Appliances - comply?						Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
*5.1.5	Gas Detection - comply?						Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
5.2	Fire Fighting Appliances						
#5.2.1	Are extinguishers of an approved type						Yes x / No <input type="checkbox"/>
#5.2.2 #5.2.5	Portable Extinguishers					Serviced Date	05/17
		Engine room	Type	Foam	Rating	13a/113b	Nº 1
		Other spaces	Type	DP	Rating	abc	Nº 1
					Fire buckets	Nº 1	
#5.2.6	Remote controls for fuel tank valves		Yes x/ No <input type="checkbox"/>	Number	1		
				Location	Stg. Comp.		

Appendix 7.3 Code of Practice Declaration of Compliance

#5.2.6	Are means of closing skylights, doorways etc to machinery and cargo spaces adequate?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA <input checked="" type="checkbox"/>
--------	--	---

Chapter 6 Protection of Crew

6.1	Protection of Personnel	
*6.1.2	Bulwarks, Guard Rails and Handrails - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
*6.1.4	Surface of Working Decks - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
#6.1.5	Personal Protective Equipment - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
#6.2	Medical Stores - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
	Expiry date of medical stores	11/19
*6.3	Securing of Heavy Items or Equipment and Fishing Gear etc - comply?	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/> / NA <input type="checkbox"/>

Chapter 7 Life-Saving Appliances

#7.1	Are all items of LSA of an approved type			Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
#7.2	Have relevant items of LSA been serviced			Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>
#7.3	1 Lifejacket for every person on board	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	Nº:	1
#7.4	Liferafts sufficient for 100% persons	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	Nº	N/A
	Hydrostatic Release Unit (HRU)	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	Nº	N/A
#7.5	Lifebuoys	Total Nº of Lifebuoys		2
		Nº with 18m line		1
		Nº with combined light & smoke signal		-
#7.6	1 Personal Floatation Devices (PFD) for every person on board	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	Nº:	1
#7.8	Distress signals	6 red star or allowed alternative	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	12 parachute rockets
#7.8	Flares Expiry date	03/21		
*7.9	Means for Recovering Persons from the Water			Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>

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Chapter 8 **Manning, Training & Certification**

#8.2 *8.8	Manning - comply?	Yes x / No <input type="checkbox"/>
*8.3	Standards of Competence - comply?	Yes x / No <input type="checkbox"/>
*8.5	Operation and Maintenance of Propulsion Machinery - comply?	Yes x / No <input type="checkbox"/>
#8.6	Operation of Radio Equipment - comply?	Yes x / No <input type="checkbox"/>
#8.7	Safety Training - comply?	Yes x / No <input type="checkbox"/>
	Is there a copy of the Code of Practice on board?	Yes x / No <input type="checkbox"/>
#8.9	Musters and Drills – comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
#8.10	Organisation of Working Time – comply?	Yes x / No <input type="checkbox"/>

Chapter 9 **Radio Equipment**

	Sea Area (A1 or A1 & A2)	A1
#9.3	Functional requirements - comply?	Yes x / No <input type="checkbox"/>
#9.4	Installation, location and control of radio equipment - comply?	Yes x / No <input type="checkbox"/>
#9.5	EPIRB/PLB correctly registered?	Yes x / No <input type="checkbox"/>
#9.5	Radio equipment to be provided for all sea areas - comply?	Yes x / No <input type="checkbox"/>
#9.6	Additional radio equipment to be provided for sea areas A1 and A2 - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x
#9.7	Radio Watches - comply?	Yes x / No <input type="checkbox"/>
#9.8	Sources of energy - comply?	Yes x / No <input type="checkbox"/>
#9.9	Performance standards - comply?	Yes x / No <input type="checkbox"/>
#9.10	Serviceability and maintenance requirements - comply?	Yes x / No <input type="checkbox"/>
#9.11	Radio personnel - comply?	Yes x / No <input type="checkbox"/>
#9.12	Radio records - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/> / NA x

Appendix 7.3 Code of Practice Declaration of Compliance

Chapter 10 Navigation Equipment Lights, Shapes & Sound Signals

*10.1	Navigation Equipment - comply?		Yes x / No <input type="checkbox"/>
*10.2	Are navigation lights fitted?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>
#10.3	Steaming Lights - comply?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>
#10.4	Fishing Lights - comply?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>
#10.5	Additional Fishing Light - comply?		Yes <input type="checkbox"/> /No <input type="checkbox"/> / NA x
#10.6	Anchor Light - comply?		Yes <input type="checkbox"/> /No <input type="checkbox"/> / NA x
#10.7	Positions or Lights - comply?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>
	Are any all-round lights obscured by mast, etc. by more than 6°?		Yes <input type="checkbox"/> /No x/ NA <input type="checkbox"/>
#10.8	Day Signals	2 Black cones with apexes together or a basket	Yes x /No <input type="checkbox"/>
		1 Black Ball	Yes x /No <input type="checkbox"/>
#10.9	Sound Signals - comply?		Yes x / No <input type="checkbox"/>
*10.10	Charts and Nautical Publications - comply?		Yes x / No <input type="checkbox"/>

Chapter 11 Accommodation & Working Spaces

*11.6	Toilet Facilities - comply?		Yes <input type="checkbox"/> /No <input type="checkbox"/> / NA x
*11.7	Access and Escape Arrangements - comply?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>
*11.8	Ventilation - comply?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>
*11.10	Lighting - comply?		Yes x /No <input type="checkbox"/> / NA <input type="checkbox"/>

Annex 7 New Vessel Constructions

1.1	Construction Rules used	N/A
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Appendix 7.3 Code of Practice Declaration of Compliance

*1.6	Are relevant chapters of Code complied with?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*2	Construction and Structural Strength - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*3	Weathertight Integrity - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*4	Stability - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*5	Machinery - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*6	Piping Systems - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*7	Shafting and Stern Gear - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*8	Bilge Pumping Systems - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*9	Steering Gear - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*10	Electrical Systems - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*11	Fire Safety - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>
*12	Accommodation and Working Spaces - comply?	Yes <input type="checkbox"/> / No <input type="checkbox"/>

Appendix 7.3 Code of Practice Declaration of Compliance

Notes:

1. # indicates Statutory requirements
2. * indicates mandatory requirement for Code compliance
3. ‡ indicates statutory requirement for vessels ≥ 12m L_{oa} and mandatory requirement for Code compliance for vessels < 12m L_{oa}
4. Only Statutory and mandatory Code requirements are to be addressed when completing the Declaration.
5. If 'No' is answered to any question, please supply, in a separate statement, the reasons why the particular item is not complied with.
6. If a particular item is not applicable, please state the reason why.

Declaration by Authorised Person

Name of Vessel	Fishing Letters & Number	Official Number	Port of Registry
MIRROR OF JUSTICE	SO 777	IRL006I10821	SLIGO

I hereby declare that on 31/5/17 at Kilcar I completed the survey of the Fishing Vessel MIRROR OF JUSTICE SO 777 and that:

1. the particulars given on this form are true and correct;
2. in my judgment the vessel complies with the Code of Practice and is fit for its intended fishing method and for the sea areas in which it is intended to operate.

Dated at Dubway this 2 day of June 20 17

Signed

This Declaration is valid until

30 Day of May 20 21

Company Stamp



Declaration by Owner

I/We owners of the above described vessel declare that the particulars given on this form are correct and that we have no reason to believe that the vessel is not fit for its intended fishing method or for the sea areas in which it is intended to operate.

Signature

.....
If company state position held

.....
Date.....

Appendix 7.3 Code of Practice Declaration of Compliance

Mirror of Justice SO777

L	8.72
ls	
B	2.86
D	1.28
f	0.82
<i>f/B</i>	<i>0.286713287</i>
<i>ls/L</i>	<i>0</i>
<i>B/D</i>	<i>2.234375</i>
<i>GM min</i>	<i>0.558843278</i>
GM min (rounded to 2 decimal places)	0.56

n	f/B between 0.02 and 0.20
y	ls/L smaller than 0.60
n	B/D between 1.75 and 2.15

Factor	0.8
B	3.28
Tr	2.77
<i>GMo</i>	<i>0.897362927</i>
Gmo (rounded to 2 decimal places)	0.90

Appendix 7.3 Code of Practice Declaration of Compliance



Appendix 7.4 Sea Fishing Boat Licence



**FISHERIES ACTS 1959 TO 2006
SEA – FISHING BOAT LICENCE**

LICENCE NO. 2001-759

The boat being a sea-fishing boat particulars of which are set out in the Schedule hereto is hereby licensed for the purposes of section 4 of the Fisheries (Amendment) Act 2003 (as inserted by section 97 of the Sea-Fisheries and Maritime Jurisdiction Act 2006) for the period commencing on 26 July 2017 and ending on 30 June 2018 in the name of:

SCHEDULE

Name of Boat to which the Licence relates: **MIRROR OF JUSTICE**

Country of Registration: **IRELAND**

Registration Number: **SO777**

Port of Registration: **Sligo**

Length Overall: **9.27 metres**

Gross Tonnage: **6.54 Tonnes**

Engine Capacity: **53.72 kilowatts**

International Radio code or Call Sign: **EI5835**

CFR Number: **IRL000I10821**

Type of Vessel: **Multipurpose**

Type of Gear: **DRB - Dredges, OTM - Mid-water Otter Trawls, LHP - Hooks and lines Hand lines and pole lines (hand operated), GNS - Gillnets (Set)**

Fleet Segment: **Polyvalent General**

Other Information:

Date: 26 July 2017

Licensing Authority for
Sea-Fishing Boats



Udaras Ceadunuchain do
Bhaid Iascaigh Mhara

Licensing Authority pursuant to Section 3 of Fisheries (Amendment) Act 2003 (No. 21)

Appendix 7.5 Met Éireann Weather Report



Met Éireann

The Irish Meteorological Service

Climate Services
Glasnevin Hill
Dublin 9

Seirbhísí Aeráide
Cnoc Ghlas Naíon
Baile Átha Cliath 9

Tel: +353-1-8064260
Email: enq@met.ie
Email: legal@met.ie

Our Ref: WS1730/2010_20

Your Ref: MCIB/12/302

Estimated weather and sea state conditions in the coastal area (up to 5 nautical miles offshore) off Teelin Co Donegal (approximate latitude/longitude: 54.602, - 8.688 decimal degrees) on the afternoon of Wednesday, 26th August 2020 between 12:00 noon to 19:00 hours UTC.

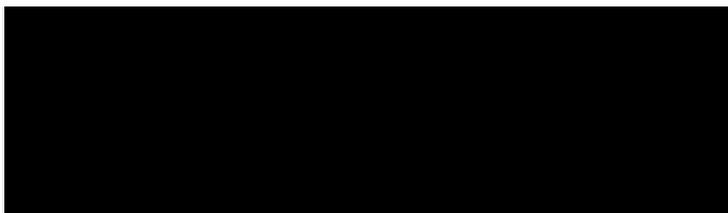
Meteorological synopsis a moderate westerly airflow with a near-stationary occluded front covered Ireland on the afternoon of the 26th in the wake of a storm depression (Storm Francis) which moved further away eastwards over Denmark. High pressure (1020hPa) over the Bay of Biscay extended a transient ridge of high pressure over Ireland during the afternoon and early evening.

Estimate of weather & sea state conditions:

26-August-2020 12:00 – 19:00 hours UTC:

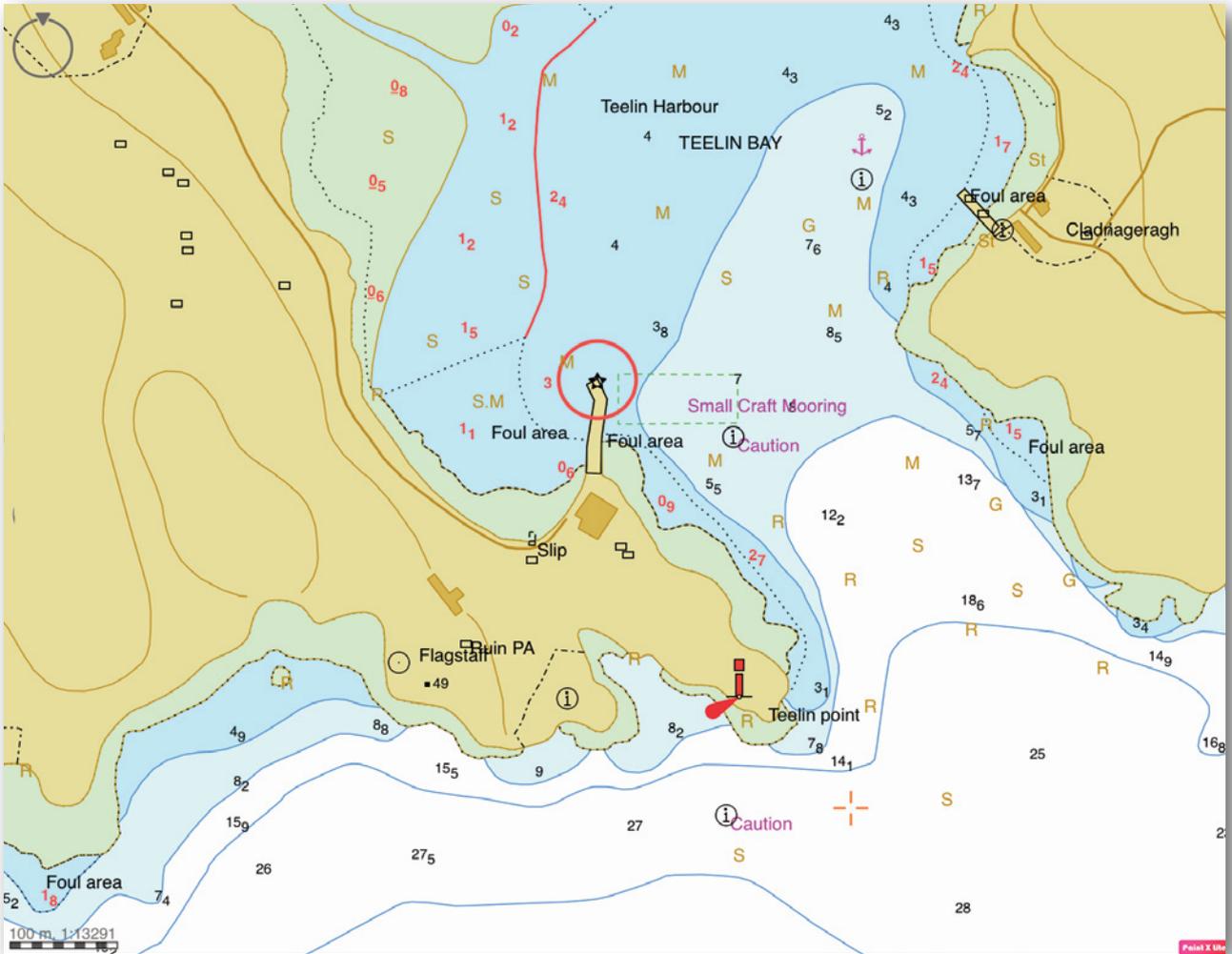
<u>Weather:</u>	Cloudy and mostly dry with only isolated patches of light rain.
<u>Temperature:</u>	Air temperature 15 or 16 degrees Celsius.
<u>Wind:</u>	Moderate occasionally fresh at first – Beaufort 4 or 5 (mean wind speed 15 – 20 knots) and occasional gusts up to 25 knots. The winds gradually decreased during the period to light – Beaufort force 3 (mean wind speed 8 to 10 knots) by the end of the period. Wind direction was westerly and backed southwesterly later in the period.
<u>Visibility:</u>	Generally good visibility (greater than 5 nautical miles) occasionally moderate (2 to 4 nm) in isolated outbreaks of light rain.
<u>Sea State:</u>	Estimated sea state: moderate occasionally rough with an estimated significant wave height (combined wind-wave + swell) of 1.5 to 2.5 meters occasionally 3 meters. Waves and swell moved into the area from a westerly direction. The estimated wave period: 5 or 6 seconds.

Sea temperature: ~ 15 degrees Celsius (at M4).

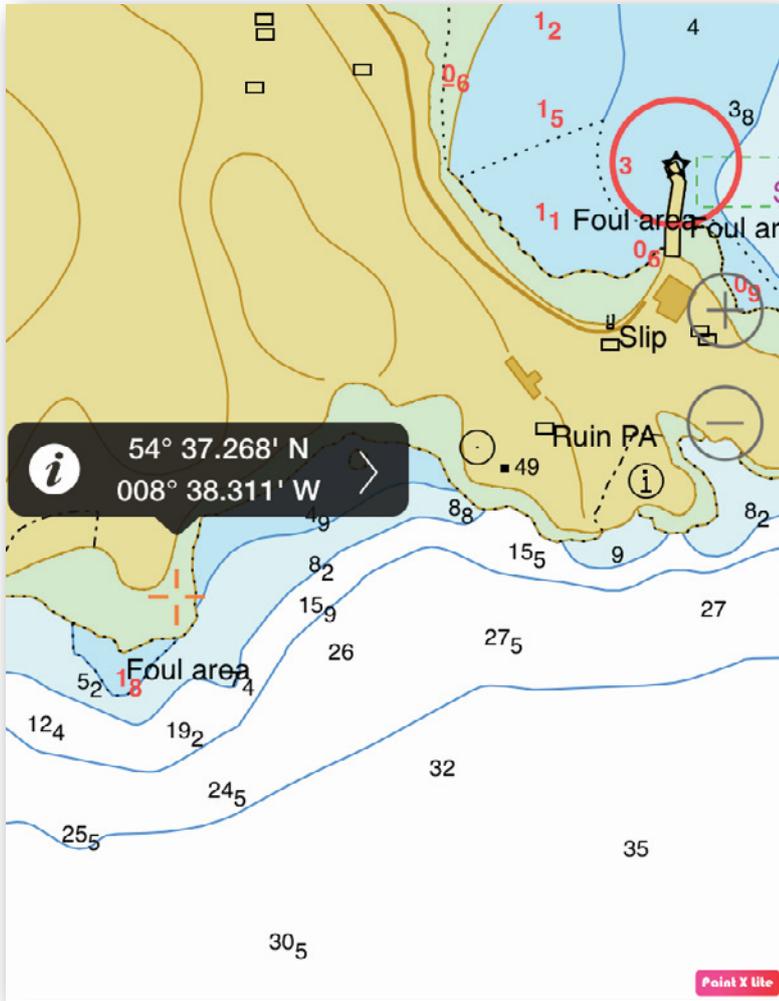


APPENDIX 7.6

Appendix 7.6 Chart Teelin Bay



Appendix 7.7 Chart Grounding Point



Appendix 7.8 Photograph No. 3 - Wreck Site



Appendix 7.9 Satellite Image of Area



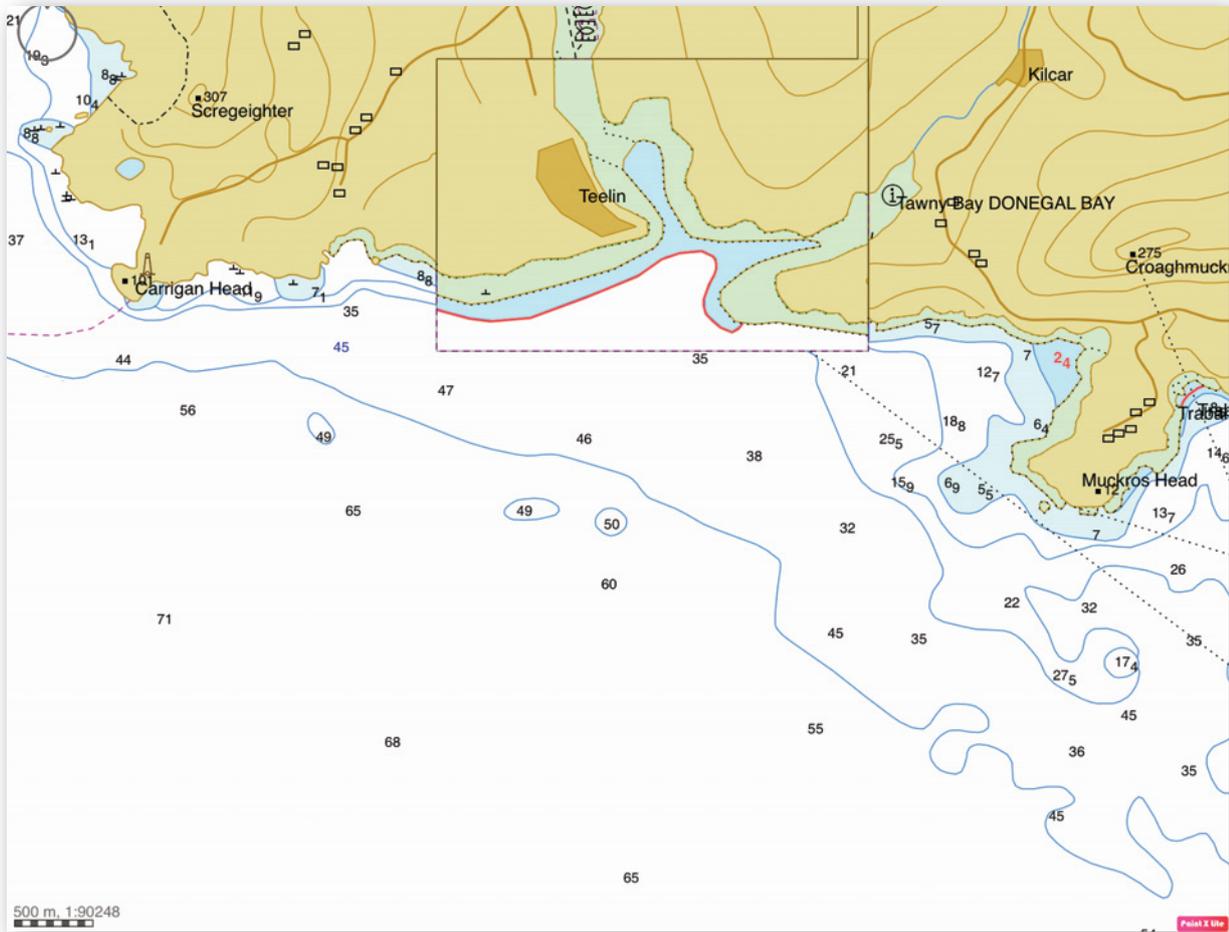
Appendix 7.10 Photograph No. 4 - Search Operation



Appendix 7.11 Photograph No. 5 - Winchman being Lowered

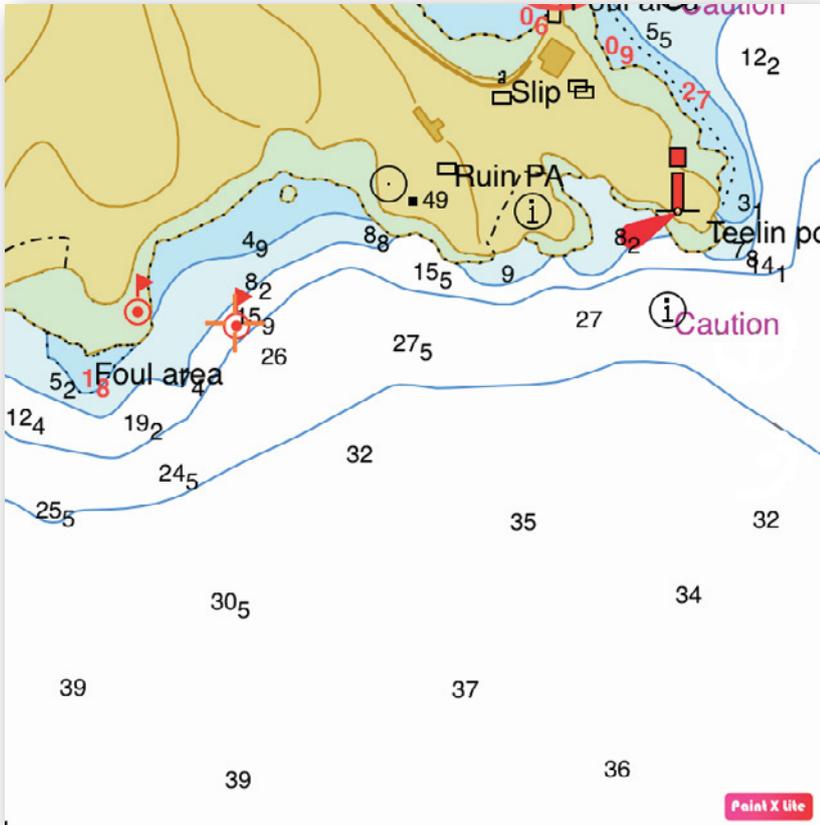


Appendix 7.12 Chart Giants Rump to Teelin Indicating Position of Sighting in Afternoon

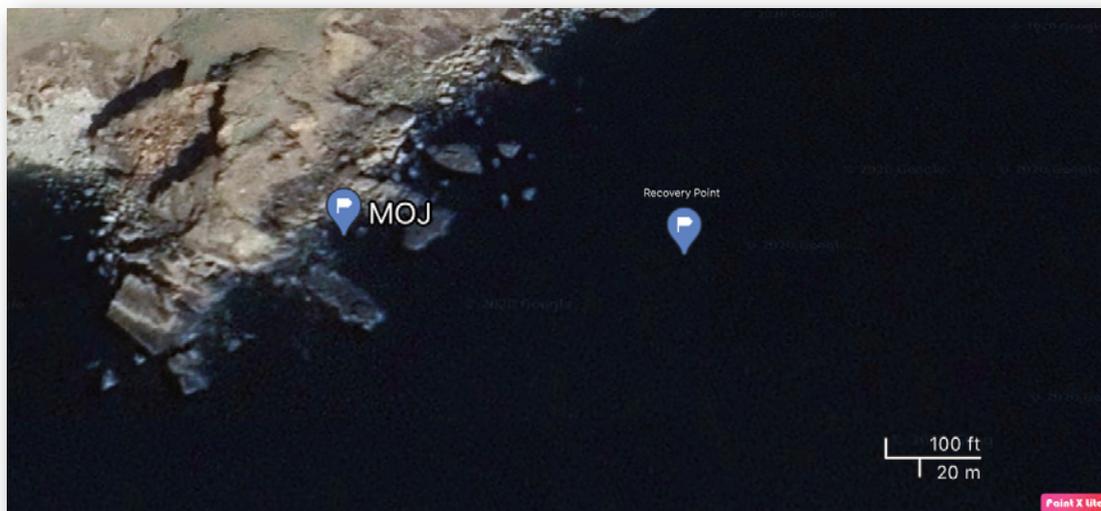


APPENDIX 7.14

Appendix 7.14 Chart Wreck and Recovery Points



Appendix 7.15 Satellite Image of Wreck and Recovery Points



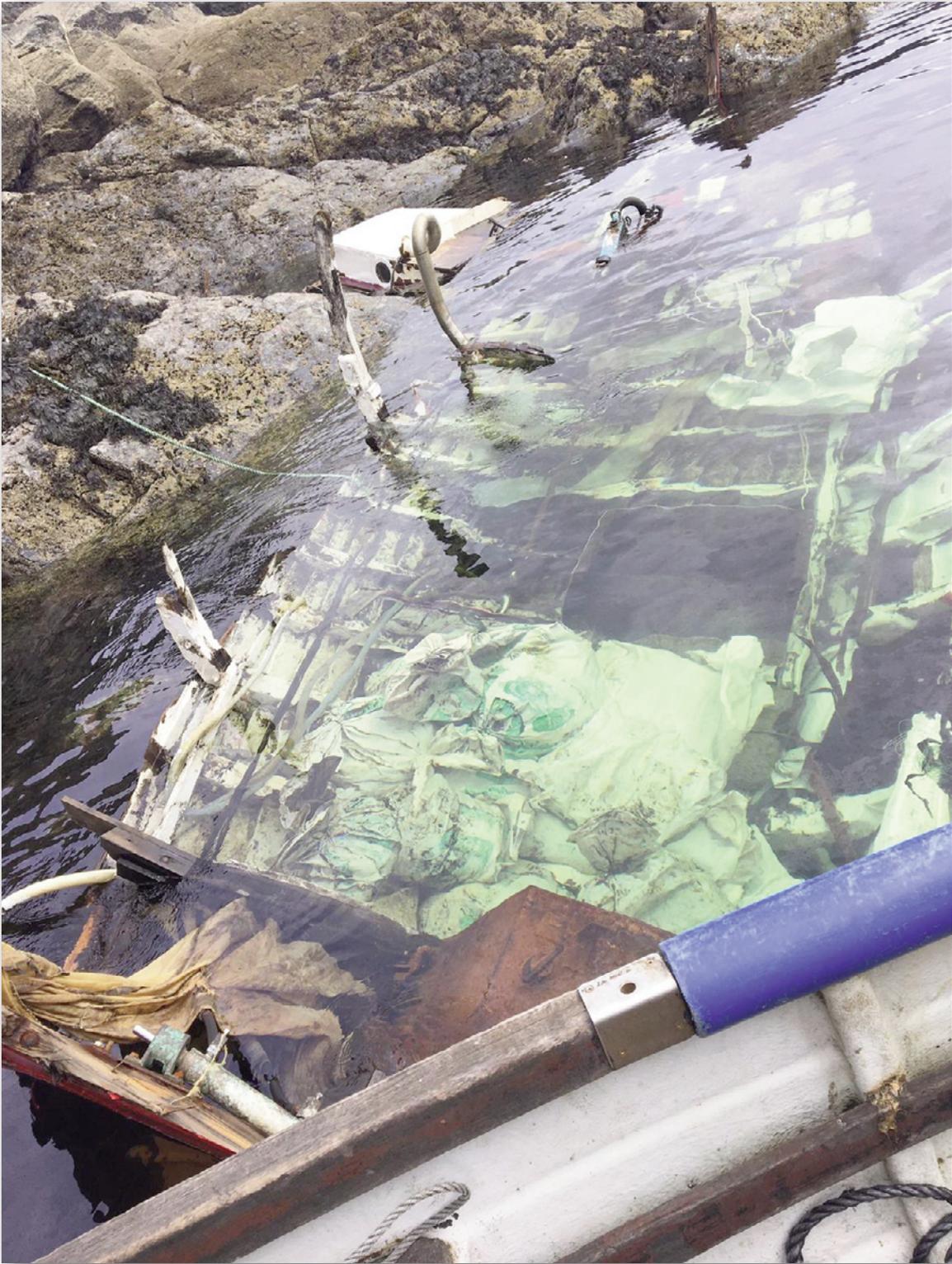
Appendix 7.16 Photograph No. 6 - "FV Mirror of Justice" Wreck



Appendix 7.17 Photograph No. 7 - "FV Mirror of Justice" Wreck



Appendix 7.18 Photograph No. 8 - "FV Mirror of Justice" Wreck



SECTION 36 PROCESS

Section 36 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000

It is a requirement under Section 36 that:

- (1) Before publishing a report, the Board shall send a draft of the report or sections of the draft report to any person who, in its opinion, is likely to be adversely affected by the publishing of the report or sections or, if that person be deceased, then such person as appears to the Board best to represent that person's interest.
- (2) A person to whom the Board sends a draft in accordance with subsection (1) may, within a period of 28 days commencing on the date on which the draft is sent to the person, or such further period not exceeding 28 days, as the Board in its absolute discretion thinks fit, submit to the Board in writing his or her observations on the draft.
- (3) A person to whom a draft has been sent in accordance with subsection (1) may apply to the Board for an extension, in accordance with subsection (2), of the period in which to submit his or her observations on the draft.
- (4) Observations submitted to the Board in accordance with subsection (2) shall be included in an appendix to the published report, unless the person submitting the observations requests in writing that the observations be not published.
- (5) Where observations are submitted to the Board in accordance with subsection (2), the Board may, at its discretion -
 - (a) alter the draft before publication or decide not to do so, or
 - (b) include in the published report such comments on the observations as it thinks fit.'

The Board reviews and considers all observations received whether published or not published in the final report. When the Board considers an observation requires amendments to the report, those amendments are made. When the Board is satisfied that the report has adequately addressed the issue in the observation, then no amendment is made to the report. The Board may also make comments on observations in the report.

Response(s) received following circulation of the draft report (excluding those where the Board has agreed to a request not to publish) are included in the following section.

The Board has noted the contents of all observations, and amendments have been made to the report where required.

8. MSA 2000 - SECTION 36 OBSERVATIONS RECEIVED

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

8.1 Observation from Relative and MCIB response

[REDACTED] 6 December 2021 at 20:12 

"Mirror of Justice" Section 36 response
To: Marine Casualty Investigation Board,
Reply-To: [REDACTED]

Dear Sir/Madam.

In response to the draft report sent to [REDACTED], we have no reason to add or remove any comments in the report, I hope this reply is satisfactory.
Due to [REDACTED] not having access to email, [REDACTED] have composed the email at [REDACTED] request.
We would also like to thank you and your colleagues for the time and effort you put into piecing together the last day of my husband and father's day, we are truly thankful, if we can be of any more assistance please do not hesitate to call or email.
Yours Sincerely
[REDACTED]
[REDACTED]

[Sent from Yahoo Mail on Android](#)

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



Leeson Lane, Dublin 2.
Telephone: 01-678 3485/86.
email: info@mcib.ie
www.mcib.ie

