

MCIB

Marine Casualty Investigation Board
Bord Imscrúdú Taisní Muirí



**INTERIM REPORT
OF AN INVESTIGATION
INTO A MARINE CASUALTY
INVOLVING
THE FISHING VESSEL
BEN THOMAS
IN OR AROUND
DUNDALK BAY, CO. LOUTH
ON OR ABOUT
12 DECEMBER 2023**

**REPORT NO. MCIB/333/INTERIM
(No.5 OF 2024)**

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 for the avoidance of similar marine casualties in the future, thereby improving the safety of life at sea.

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.

Section 34 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000, as amended by Section 12 of the 2022 Act, requires that where the Board is unable to publish a report within 12 months of the date of the casualty, it shall publish at least one interim report of the investigation during that period.

This is an interim report and no conclusions should be drawn from its contents.



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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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1. SUMMARY

- 1.1 On the 12 December 2023, at approximately 05.00 hours (hrs) the fishing vessel (FV) Ben Thomas departed Port Oriel, Co. Louth with two crew onboard. This was only the second day that the vessel was operated by this crew.
- 1.2 Fishing operations commenced close to Dunany Point, Co. Louth, approximately 4.5 nautical miles (NM) north of Port Oriel. The vessel operated a hydraulic dredge to catch razor clams¹, a species of mollusc. The Skipper helmed the vessel and operated the winch during cage deployment and recovery, while the other crewmember worked on deck at the stern gantry, opening the cage to release and process the catch.
- 1.3 Having completed a number of fishing operations that morning, prior to 08.30 hrs while recovering the fishing cage onboard, the Ben Thomas capsized and sank. Both crewmembers were working on the deck at that time. Neither of them were wearing a Personal Flotation Device (PFD) and they both entered the water at the same time. The Skipper donned a lifejacket he found floating close by and holding onto other floating debris he remained afloat.
- 1.4 At approximately 08.30 hrs, a crewmember on the deck of another fishing vessel working close by, heard someone calling for help. The vessel was stopped and after a short search the Skipper of the FV Ben Thomas was found and recovered onboard.
- 1.5 The skipper of a third vessel was contacted by phone, and he transmitted a MAYDAY call on a Very High Frequency (VHF) radio (channel 16) and reported the sinking at 08.43 hrs.
- 1.6 The recovered Casualty who was in shock and may have been hypothermic, was brought ashore to Port Oriel and placed in a waiting ambulance at 11.00 hrs.
- 1.7 The search for the second Casualty continued over the following days and on the morning of the 14 December 2023, navy divers recovered his body from the seabed.

Note: Times are local time = UTC + 1 (Co-ordinated Universal Time + 1)

1. Razor shells or razor clams are very recognisable, with their long (up to 20cm), narrow clam shells. They are a burrowing species and live buried in the sand around the low tide mark and on the seabed out to around 60m deep. They dig themselves into the sand using their strong muscular "foot". Razor clams filter feed on plankton and detritus.



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