



MARINE CASUALTY INVESTIGATION BOARD

Annual Report 2022



Reporting Period 1st January to 31st December 2022

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Chairperson's Statement



Claire Callanan,
Chairperson

Dear Minister,

In accordance with the requirements of Section 21 of the Merchant Shipping (Investigation of Marine Casualties) Act 2000, I present the twentieth Incidents & Investigations report of the Marine Casualty Investigation Board, covering the period 1 January – 31 December 2022.

Overview of 2022

The MCIB commenced investigations into 11 marine casualties in 2022, of which eight occurred in 2022, two in 2021, and one in 2020. No lives were lost in any of the marine casualties under investigation.

A further 74 incidents were considered by the Board which involved co-operation between the MCIB and the accident investigation bodies of other states. These incidents were in general considered to be minor in nature and not warranting investigation by either the flag state or the MCIB, or were incidents where investigations were being conducted by the flag state. Some cases required the uploading of data by Ireland onto the European Maritime Casualty Investigation Platform (EMCIP)¹.

During 2022 the MCIB also assessed 14 further incidents to determine whether an investigation should be carried out, and in these cases determined that they were either minor and/or that no useful safety recommendations were likely to be forthcoming from an investigation.

The MCIB was established 20 years ago and to the end of December 2022 it has published 255 reports into incidents under its statutory remit. The Board published seven final marine casualty investigation reports and three interim reports in 2022.

Eleven investigations were commenced during the year, two of which concluded in 2022. At 31 December 2022 there were in total 13 ongoing investigations, nine of which commenced in 2022 (of which two have been published in 2023), one that occurred in November 2019, involving a fatality from a kayak on the Caragh River, Glencar, Co. Kerry, which was complex and was published in February 2023, and three that commenced in 2021, one of which was published in March 2023. Currently, there are in total 11 investigations ongoing including two which have commenced in 2023.

In the MCIB Annual Reports for 2020 and for 2021 we reported on incidents associated with water sports and water recreational activities. We focussed on the recommendations for organisations (especially clubs and commercial entities) aimed at improving their safety standards. In February 2023 we published a report following a lengthy investigation into a tragic fatality that focussed on the safety regime in kayaking in third level institutions. In my statement to the Minister in the 2021 Annual Report I referred to MCIB report No. 304, published in 2021, and a number of recommendations that the MCIB made in relation to the kayaking/canoeing sector. In April 2022 the MCIB commenced an investigation into another serious incident involving a commercial kayak provider and published its report No. 318 in May 2023. This incident involved six persons, two of whom narrowly escaped drowning. The MCIB has made extensive recommendations to the Minister, the organiser, Water Safety Ireland and to Canoeing Ireland and Sport Ireland, including:

That Canoeing Ireland, in conjunction with Sport Ireland, should consider the establishment, and promotion of a register of Canoeing Ireland qualified instructors with their qualifications that would be available to the public.

That Canoeing Ireland, in conjunction with Sport Ireland, should consider the establishment of a scheme for the audit of the safety policies and practises of entities affiliated with this national governing body.

That Water Safety Ireland should consider actions to further promote both public awareness of kayaking water safety and measures to prevent kayaking accidents.

The MCIB urges those bodies to whom recommendations have been addressed in these recent reports to take steps to improve much needed safety regimes.

1. The European Marine Casualty Information Platform (EMCIP) is a database and a data distribution system operated by the European Maritime Safety Agency.

In June 2022 the Department of Transport, following MCIB recommendations, published a specific Marine Notice No. 37 of 2022 entitled Important safety advice for those involved in Canoeing and Kayaking. The Marine Notice is designed to draw attention to Chapter 7 of the Code of Practice (CoP) for the Safe Operation of Recreational Craft in relation to Canoeing and Kayaking. The Notice also highlighted previous Marine Notice No. 30 of 2020 and Marine Notice No. 31 of 2019, and stated that canoeists, kayakers and kayaking and canoeing organisations are again encouraged to familiarise themselves with the contents of the CoP and to comply with its safety advice and recommendations.

In 2022, the MCIB continued to see incidents involving fatalities and injuries to crewmembers on fishing vessels where there are common themes of the lack of safety planning and regimes, lack of training, and contributory factors due to language barriers and poor communications, and fatigue. MCIB Report No. 307/2022 illustrates some of these issues, while Report No. 302/2022 arose from a sad fatality on a fishing vessel where it was not possible to determine exactly what occurred and where the death may have arisen from natural causes.

It is clear that many incidents on fishing vessels are not reported to the MCIB as required by legislation. Even from the limited information available to the MCIB from Coast Guard situation reports (SITREPs) it appears that many incidents could have been avoided by safety assessment and planning and by proper training of crew. As noted in MCIB Report No. 302/2022, 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 metres (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.

Since April 2022 the MCIB has published three reports involving fire onboard vessels. While the circumstances of these incidents varied it illustrates the dangers and greater risks that can arise with fires in marine situations.

New legislation

As a result of the Court of Justice of the European Union (CJEU) decision in July 2020 which held that Ireland had not correctly implemented Article 8.1 of Directive 2009/18/EC, the Board of the MCIB had to operate with only three members. On the 16 May 2022, the President signed into law the Merchant Shipping (Investigation of Marine Casualties) (Amendment) Act 2022 to provide for an amendment to the composition of the Marine Casualty Investigation Board; to provide for notification of marine casualties to the Board; to provide for notification of marine casualties to the Marine Survey Office (MSO); to amend the definition of "Safety Convention" in the Merchant Shipping (Safety Convention) Act 1952; and to provide for related matters. Following that enactment, in August 2022, one new Board member was appointed. I am happy to report that shortly before publication of this report the Minister appointed three additional Board members. I extend a warm welcome to Mr Phil Murphy, Mr John Carlton and Ms Deirdre Lane to the Board of the MCIB.

Legislative Changes

The MCIB welcomed the announcement of the Minister in December 2022 of the drafting of a Merchant Shipping (Investigation of Marine Accidents) Bill to provide for a full-time Marine Accident Investigation Unit within the Department of Transport. The Board believes that the new proposed structure and the potential for greater synergy with other investigation units within the Department's remit will enhance future investigations of marine casualties and thereby contribute to greater marine safety.

The General Scheme provides for the establishment of the Marine Accident Investigation Unit (MAIU) within the Department of Transport. The MAIU will replace the MCIB as the permanent body responsible for marine accident investigation. The main focus of the Bill is to provide the MAIU with the necessary framework to ensure it can operate independently in its organisation, legal structure and decision-making of any party whose interests could conflict with the task entrusted to it. The General Scheme also provides rule making power for the Minister for Transport to make the necessary secondary legislation for the regulation of offshore service vessels and industrial personnel.

The draft legislation is making its way through the houses of the Oireachtas.

In April 2022 the Board completed a recruitment drive for additional investigators to the investigator panel which comprises independent persons with a high level of technical expertise.

In April 2023 the Board appointed an expert marine consultant for the MCIB. This initiative is in line with Recommendation 1 of the Review of the organisational structures underpinning marine accident investigations commissioned by the Department of Transport.

The Board has assured the Minister and the Department of its full support and co-operation to ensure continuity for ongoing and new investigations and to enable a smooth transition of the function of investigating marine casualties from the Board to the new Unit which will be established by the current Bill.

European Context and EMSA

A considerable amount of the work that the MCIB does involves engagement with the European Maritime Safety Agency (EMSA) in respect of maritime incidents that fall within the ambit of the European Union (EU) Directive 2009/18/EC (which establishes the fundamental principles governing the investigation of accidents in the maritime transport sector). EMSA is the EU agency that is tasked with providing technical expertise and operational assistance to improve maritime safety, pollution preparedness and response and maritime security throughout the EU. EMSA also ensures the consistent investigation of marine accidents throughout the EU and shares best practices on maritime safety, security, and environmental issues. EMSA has developed a methodology to analyse data reported in the EMCIP with the view to detecting potential safety issues. As with other EU investigative agencies, the MCIB reports marine incident data to EMCIP.

In 2022 EMSA presented the first edition of the European Maritime Safety Report (EMSAFE); the first report of its kind, and one which reflects the paramount importance of safety to the maritime transport sector in the EU and worldwide. The report noted that there *"are more safety challenges ahead, as EMSAFE makes clear, and more work now and in the future. Passenger ship safety is firmly in our focus, as is fishing vessel safety, and we look ahead to three forthcoming important legislative revisions; those of the Port State, Flag State, and Accident Investigation Directives."* The Report notes emerging safety challenges, like those associated with alternative fuels and autonomous shipping. In its summary, it notes with regard to safety issues of particular interest to incidents that the MCIB is observing in respect of qualifications and training that *"Qualified seafarers are essential to ensuring the safety of ship operations and are vital for the future of the maritime sector."* With regard to fishing vessels, the Report continues to note previous statistics on safety: *"They present a high vulnerability to accidents, in that 50% of all the accidents involving fishing vessels are either very serious or serious, whereas the average for all ship categories is 27%. In addition, even though fishing vessels represent 17% of the total number of ships involved in accidents reported, the number of fishing vessels lost represents more than 55% of total number of lost vessels, a trend observed in recent years."* The EMSAFE report and any associated materials are available online at <http://emsa.europa.eu/emsa>

EMSA provides training services for EU accident investigators and announced in April 2022 the development of a training academy with a Core Curriculum Course for EU accident investigators which will come on stream in late 2023. The new EMSA Academy will deliver training on new or amended International Maritime Organisation (IMO)/EU acts and will provide operational training, using advanced tools and developing a Common Core Curricula. All trainings in EMSA Academy will comply with International Organisation for Standardisation (ISO) 9001:2015, ISO 21001:2018 and ISO 29993:2017 standards. This is a very welcome development which will contribute to the continued learning of MCIB accident investigators.

The European Commission has also initiated a review of EU legislation and a new Directive is expected within the next twelve months.

The Department of Transport published 85 Marine Notices in 2022.

The full list can be accessed here www.gov.ie - Marine Notices 2022

The following Marine Notices were published in 2022 following MCIB reports and investigations:

- | | |
|------------|--|
| 7 of 2022 | Reminder Fishing Vessel Safety – fatal incident involving a small fishing vessel (<15m). |
| 31 of 2022 | Importance of Voyage Planning for Fishing Vessels in Adverse Weather and Sea Conditions. |
| 37 of 2022 | Important safety advice for those involved in Canoeing and Kayaking. |
| 42 of 2022 | Important safety advice for those involved in Rowing. |
| 55 of 2022 | Incident Involving the Fire and Total Loss of a Fishing Vessel 15m – 24m in Length. |
| 61 of 2022 | Mandatory Requirement for all Fishing Vessel Crew Members – basic safety training. |

External Investigations of Casualties

All investigations of casualties are carried out by external investigators. The Board has available to it a panel of investigators including personnel holding technical qualifications as master mariners, marine surveyors, marine engineers or deck officers. The panel reflects broad based maritime competence and experience which are of relevance in undertaking independent investigations. Safety investigations are conducted with the sole objective of preventing marine casualties and marine incidents in the future. They are not designed to determine liability or apportion blame.

A typical investigation process generally includes the following phases and outcomes:

Notification	When the MCIB is notified of a marine casualty or incident, an assessment has to be conducted to decide whether to investigate.
Gather evidence	Once the investigation is launched, gathering evidence expeditiously, including witness interviews, is important to understanding the circumstances of the occurrence and the sequence of the events.
Analyse evidence	Evidence has to be properly analysed to identify the factors that led to the marine casualty or incident. The focus is on understanding the reason why an unsafe action or condition leads to the casualty and the context, physical or organisational, in which the casualty or incident occurred.
Determine remedial actions	Where appropriate the MCIB suggests Safety Recommendations i.e. proposals for remedial actions to prevent future marine casualties and incidents, to the Department of Transport and to other parties that are best placed to implement such measures.
Report	The investigation results in a report providing, amongst other things, the circumstances of the event, the analysis of contributing factors and its conclusions. The report is published in order to spread the safety lessons to the maritime community. Data on marine casualties and incidents are uploaded onto EMCIP, thus supporting their analysis.

Reports Published in 2022

The Board published seven Final and three Interim Reports during 2022. The full details are provided at pages 16 to 22.

Investigations commenced in 2022

Investigations were initiated by the Board into 11 incidents during 2022. Summary details of the incidents are provided in the table below. Full details of all incidents are set out on pages 11 to 15.

Five of the 11 incidents which required investigation occurred in connection with fishing vessels. Two involved general cargo vessels, two recreational craft and two involved three passenger vessels.

Sector	Incidents	Sinkings	Fatalities	Injuries
Fishing	5	1	0	4
General Cargo	2	0	0	1
Recreational	2	0	0	0
Passenger	2	0	0	1
Total	11	1	0	6

Fishing Vessels

There were five incidents involving fishing vessels.

- Crewmember injured at Howth, Co. Dublin.
- Loss of vessel, Co. Cork.
- Crewmember injured, Co. Kerry.
- Two crewmembers injured, Co. Louth.
- Collision at Dingle, Co. Kerry.

General Cargo

- Crewmember injured on Irish cargo vessel, Aberdeen, Scotland, United Kingdom (UK) (Report Published 29/11/2022).
- Irish cargo vessel runs aground, Bristol Channel, UK.

Recreational Craft

There were two incidents involving recreational craft.

- Incident involving kayaks, Co. Donegal.
- Race Yacht grounding, Co. Cork.

Passenger Vessels

There were two incident involving passenger vessels.

- Incident involving two passenger ferries at Rosslare Harbour, Co. Wexford (Report published 22/12/2022).
- Crewmember injured on Fish Farm workboat (passenger vessel), Co. Galway.

Detailed tables of incidents investigated which occurred in the years 2013 to 2022 are at page 23 and 24 of this report. A summary of all incidents investigated occurring in these years is provided in the table below:

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Fatalities	6	5	5	9	6	8	6	4	0	0
Injuries	Nil	1	0	14	Nil	Nil	1	2	2	6
Vessels Involved	6	7	7	15	5	5	7	8	8	21

Ethics in Public Office

During 2022, all Board members were in compliance with the applicable provisions and requirements of the Ethics Acts and the Standards in Public Office Act, 2001.

Acknowledgements

I want to thank my Board colleagues who have again given hugely of their time and very considerable expertise during this last year to the MCIB.

We had to say farewell to Mr Frank Cronin, our esteemed colleague as his term of office concluded and a further extension is not permitted under our legislation. Frank is a Chartered Insurer, a Fellow of the Chartered Insurance Institute, specializing in risk management and reinsurance, an Associate of the Chartered Insurance Institute 1986. He holds a Marine Engineer Class 1 steam & motor Certificate of Competency 1981 together with a National Diploma in Marine Engineering 1973 and a National Certificate in Mechanical Engineering 1972 along with extensive personal sailing experience worldwide. Aside from his academic and technical qualifications, Frank gave unstintingly of his time and expertise, and has been a major contributing factor to the increased depth and complexity of MCIB reports over the last few years.

In August 2022, we welcomed Mr Keith Patterson to the Board. Keith holds Chartered Engineer Status with The Engineering Council and a CEng CMarEng Member Institute of Marine Engineering, Science and Technology. He is a Chartered Engineer (CEng)/Chartered Marine Engineer (CMarEng) and holds the professional title of EUR ING (European Engineer awarded by FEANI (European Federation of National Engineering Associations)). Keith is retired from the Marine Safety Agency/Maritime and Coastguard Agency where he was Principal Consultant Surveyor for Fishing and Code Vessels, Examiner of Engineers and ISM Auditor.

None of that investigative work would have been possible without the dedication and expertise of our investigators whom I would also like to thank. We have welcomed new investigators to our panel in 2022 and their varied expertise is greatly appreciated.

I would also like to express my appreciation on behalf of the Board to our Board Secretary and her Secretariat and congratulate them on the work done during the year.

Finally, I wish to record my appreciation for the assistance that you as Minister, and that of your officials in the Maritime Safety Policy Division, have afforded to the Board during 2022.

CLAIRE CALLANAN
CHAIRPERSON

Board Members and General Information



Ms. Claire Callanan,
Chairperson, Solicitor



Dr. Dorothea Dowling,
Deputy Chairperson,
Chartered Insurer and
Accredited Mediator



Mr. Frank Cronin,
Marine Engineer Class 1
combined, FCII, Chartered
Insurer



Mr Keith Patterson,
(July-December 2022) CEng,
CMarENG, Marine Engineer
Class 1

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The following is some general information regarding the Marine Casualty Investigation Board (MCIB).

Establishment of the Board

The MCIB was established under the Merchant Shipping (Investigation of Marine Casualties) Act, 2000 ("the Act"). Under the European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011 S.I. No. 276 of 2011 ("the Regulations") the MCIB is the body in Ireland mandated to investigate incidents that fall within EU Directive 2009/18/EC ("the Directive") governing the investigation of accidents in the maritime transport sector.

Function of the Board

The function of the MCIB is to carry out investigations into Marine Casualties, as defined in Section 2 of the Act and the Regulations. In carrying out its functions the MCIB also complies with the provisions of the International Maritime Organisation's Casualty Investigation Code and the Directive. The Directive is given effect in Irish law by the Regulation (S.I. No. 276 of 2011) and applies to only some of the incidents under investigation. Investigations within the scope of the Directive are carried out in accordance with the requirements of the Directive and the Common Methodology as set out in Commission Regulation (EU) No. 1286/2011 of the 9th of December 2011.

In accordance with the Act, Marine Casualty means an event or process, which causes or poses the threat of:

- (a) death or serious injury to a person;
- (b) the loss of a person overboard;
- (c) significant loss or stranding of, damage to, or collision with, a vessel or property; or
- (d) significant damage to the environment,

in connection with the operation of:

- (i) a vessel in Irish waters;
- (ii) an Irish registered vessel, in waters anywhere; or
- (iii) a vessel normally located or moored in Irish waters and under the control of a resident of the State, in international waters contiguous to Irish waters.

The purpose of each investigation is to:

1. Establish the cause or causes of a marine casualty.
2. Report on the marine casualty with a view to making recommendations for the avoidance of similar marine casualties.

It is important to note that it is NOT the purpose of an investigation to attribute blame or fault. The Board is non-prosecutorial. Any prosecution, which arises out of any casualty, is the function of Statutory Bodies i.e. An Garda Síochána, etc.

Status

The MCIB is an independent statutory body funded by the Oireachtas under Section 19 of the Act.

A copy of the final report of each investigation is sent to the Minister for consideration of the recommendations made therein.

All reports are made available to the public (on request) free of charge or can be accessed via the MCIB website at www.mcib.ie.

Incidents and Investigations 2022



Reporting Period 1st January to 31st December 2022

Introduction

Since establishment in 2002, and up to the end of 2022, the Board has published reports on 255 cases.

The statistics contained in this Report show the different types of craft involved and the cause of each incident and give the reader some insight into the scope and work of the Board. To date reporting formats have been maintained in a consistent format in order to allow comparison with earlier year's incidents and reports.

All reports are published on the Board's website, www.mcib.ie, and are available on application to the Secretariat.

Summary of Incidents Investigated which Occurred During 2022

1st January to 31st December 2022

Name of vessel/incident: Stena Europe - Connemara	
TYPE OF CRAFT	Two Passenger Ferries
TYPE OF INCIDENT	Close quarter situation
FATALITIES	None
SUMMARY	Two large passenger ferries engaged in a close quarter incident just outside the breakwater of Rosslare Harbour, Co. Wexford resulting in the ferries passing approximately 100 m apart. The inbound vessel Connemara arrived from Bilbao in Spain; it was scheduled to arrive at 08.15 hours (hrs). This vessel arrived early and was asked by Rosslare Port Control to wait outside the harbour in the vicinity of West Holdens buoy. The outbound vessel Stena Europe was scheduled to sail for Fishguard in the UK at 07.30 hrs. Connemara did not follow the instructions from Rosslare Harbour Control and instead of holding position proceeded towards the breakwater. Stena Europe was given permission to sail by Rosslare Port Control and departed its berth unaware that Connemara was approaching the breakwater. The two vessels met each other just off the breakwater. Both vessels had to take action to avoid collision resulting in a close quarter situation.

Name of vessel/incident: Donegal Kayaking Incident, Mulroy Bay, Co. Donegal	
TYPE OF CRAFT	Several Kayaks
TYPE OF INCIDENT	Kayaking incident
FATALITIES	None
SUMMARY	<p>A group of six kayakers set out on a morning's kayaking trip on Mulroy Bay, Co. Donegal. This is a tidal sea lough that extends 19 kilometres (km)/10 nautical miles (NM) inland from the north Atlantic coast. This was a commercial, guided trip consisting of the Trip Organiser and five clients. The clients were adults who typically had little or no kayaking experience. Only one client wore a wetsuit as thermal protection against the effects of cold water immersion, while the others wore clothing such as jeans and winter coats.</p> <p>The group got into difficulty when the wind speed increased and the sea state deteriorated. The double kayak capsized but its two clients were able to right the kayak and make their way to one side of the lough. Another two clients, in single kayaks, separately made their own way to the other side of the lough, after one of them capsized and swam for about 20 minutes to reach the shore. The remaining client and the Trip Organiser both capsized and lost contact with their kayaks. They drifted in the water for approximately one hour, isolated about mid-way across the lough, until they were rescued by the Coast Guard. They required hospital treatment before being released later that day. This rescue only became possible because of the diligent actions of a member of the public, who saw people in the water and notified the emergency services.</p>

Name of vessel/incident: **FV Anna Louise**

TYPE OF CRAFT	Fishing Vessel <15 m
TYPE OF INCIDENT	Sinking
FATALITIES	None
SUMMARY	<p>The fishing vessel (FV) Anna Louise was an open fishing boat of 5.35 m in length with an outboard engine and on a routine fishing trip to lift lobster pots in Bantry Bay, Co. Cork. The boat was operated by the owner's brother (the Skipper) and he was a qualified and experienced boat operator with valid certification. The Skipper had lifted two strings of lobster pots onboard with a total of ten pots and was retrieving the marker buoy when a wave came over the stern, flooding the boat. The Skipper tried to reach the bailing bucket, but a further wave swamped the boat, and the boat sank quickly. The Emergency Position Indicating Radio Beacon (EPIRB) floated free and was activated. The distress was received by Valentia Marine Rescue Sub-Centre (MRSC) who initiated rescue operations. Bantry Inshore Lifeboat was tasked as well as Castletownbere Lifeboat and Rescue Helicopter R115.</p> <p>The Skipper swam ashore and made his way through fields to a house from where he called to advise he was safe and well. The rescue operations were terminated. The boat was later salvaged from 12 m of water. There were no injuries and no pollution.</p>

Name of vessel/incident: **FV An Portán Óir**

TYPE OF CRAFT	Fishing Vessel <15 m
TYPE OF INCIDENT	Injured crewmember
FATALITIES	None
SUMMARY	<p>The FV An Portán Óir is a decked fishing boat of 9.9 m length with an inboard diesel engine. The vessel was on a routine fishing trip to lift, bait and shoot lobster pots in Dingle Bay, Co. Kerry. It was operated by the owner (the Skipper). He was a qualified and experienced boat operator with a valid certification. The Skipper was shooting the final string of 30 lobster pots with ten pots in the water when his leg became entangled in the pot ropes. The boat was in gear to stretch the string and the rope tightened around the Skipper's leg and he was pulled aft. He grabbed the rope between the pots and tied it to the handrail to avoid being pulled overboard. He was unable to free himself as the ropes around his leg were under tension and he remained stuck in this position until rescued around four hours later.</p> <p>Persons ashore noticed he had not returned as planned and raised the alarm. Several local boats as well as Dingle Lifeboat and Coast Guard Rescue Helicopters searched until the boat was located by a local boat and the Skipper was brought ashore where an ambulance was waiting to take him to hospital. The Skipper suffered serious injuries to his left leg.</p>

Name of vessel/incident: **FV John B**

TYPE OF CRAFT	Fishing Vessel >15m
TYPE OF INCIDENT	Injured crewmember
FATALITIES	None
SUMMARY	<p>An incident occurred onboard the FV John B, while engaged in fishing operations in the Irish sea approximately 20 miles East-North-East of Howth. Whilst hauling the nets and fishing gear onboard between 08.00-09.00 hrs a member of the crew was injured when his leg became trapped between the centre weight and the weight retaining cage at the stern of the vessel.</p> <p>The load was adjusted allowing the injured Crewmember to extricate his trapped foot from the grip of the centre weight. The other crewmembers provided first aid care to the injured Crewmember, and he was placed in the galley. The remaining crew retrieved the nets and fishing gear onboard. The vessel owners were informed of the incident and the vessel proceeded to Howth which was the closest port. No external medical or emergency assistance was requested.</p> <p>On arrival in Howth between 12.00-13.00 hrs the injured Crewmember was assisted from the vessel and was transferred to Beaumont Hospital where he received medical attention.</p>

Name of vessel/incident: **Arklow Clan**

TYPE OF CRAFT	Cargo Ship
TYPE OF INCIDENT	Injured crewmember
FATALITIES	None
SUMMARY	<p>The cargo vessel Arklow Clan, berthed alongside at the Port of Aberdeen. The vessel was in ballast condition and scheduled to commence loading a cargo of scrap metal in bulk the following morning. At around 17.49 hrs, three crewmembers commenced lowering the walkway handrails in preparation for loading operations. Whilst lowering the handrails, the Second Officer lost his footing, falling around 3.6 m from the walkway to the quay below. As a result of the impact the Second Officer sustained serious injuries to both his legs, necessitating an extensive period of hospitalisation, multiple surgeries and rehabilitation.</p>

Name of vessel/incident: **Jelly Baby**

TYPE OF CRAFT	Recreational Craft
TYPE OF INCIDENT	Sailing incident
FATALITIES	None
SUMMARY	<p>The yacht Jelly Baby, with nine persons onboard, was competing in the last race of the Autumn League series in Cork Harbour. On rounding the third mark of the racecourse the crew were preparing to change sails when they encountered difficulties rigging a gennaker type sail. During efforts to overcome these difficulties the gennaker sail and a Crewmember went overboard. The Crewmember was quickly recovered but the sail became entangled around the keel, rudder and propellor and disabled the yacht. The yacht lost motive power and went aground onto rocks at Weavers Point on the west side of the entrance to Cork Harbour. The crew were uninjured, but the yacht remained on the rocks until recovered on the following flood tide.</p>

Name of vessel/incident: FV Ardent	
TYPE OF CRAFT	Fishing Vessel >24m
TYPE OF INCIDENT	Injured crewmember
FATALITIES	None
SUMMARY	<p>The FV Ardent departed Port Oriel Harbour in Clogherhead, Co. Louth with four crew onboard, to commence fishing activities in the Irish sea. The vessel had moored in the harbour after discharging its catch in Ardglass Co. Down the previous day. At approximately 15.15 hrs the Skipper and Crewmember (A) commenced the tank washing and cleaning operation in preparation for refilling of the Refrigerated Sea Water (RSW) tanks with seawater. A small amount of seawater had remained within the centre tank, the Skipper operated the tank discharge pump, expelling the water overboard. Crewmember (A) entered the centre tank via the small deck hatch, to collect some fish remnants that had become entangled in the cooling system. While down in the tank he was affected by the atmosphere and fell to the tank floor close to the ladder.</p> <p>An attempt to provide assistance to Crewmember (A) by the other crewmembers was discussed and a possible recovery plan was agreed. One crewmember donned a safety harness and attached a recovery line that was maned by another crewmember. Crewmember (B) entered the tank descending the ladder. While trying to assess the condition of Crewmember (A), Crewmember (B) was also affected by the atmosphere within the tank. He immediately attempted to climb the ladder to escape. When approximately halfway up the ladder he lost consciousness and was held aloft by Crewmember (C) via the line attached to the harness. The Skipper and Crewmember (C) recovered Crewmember (B) to the deck.</p> <p>The vessel returned to Port Oriel and rescue services with breathing apparatus recovered Crewmember (A) from the tank. At approximately 16.40 hrs both injured crewmembers were taken to hospital where medical treatment was administered.</p>

Name of vessel/incident: Simmerdim	
TYPE OF CRAFT	Passenger Vessel
TYPE OF INCIDENT	Injured crewmember
FATALITIES	None
SUMMARY	<p>The vessel Simmerdim departed Lettermullan, Connemara, Co. Galway with four personnel onboard and proceeded to the offshore Salmon Farm site located off Ardmore Pier. The Simmerdim arrived at the worksite and made fast alongside fixed-moored Feed Barge and all personnel transferred from the vessel to the Feed Barge.</p> <p>A smaller vessel (Polar boat) carrying five personnel to the Salmon Farm site rendezvoused at the site and moored outboard of Simmerdim to alight three personnel.</p> <p>The first of the three passengers from the Polar boat transited across Simmerdim to the Feed Barge. As the second person of the group was transiting across to the Feed Barge, there was a coming together of the vessels, which pinned the individual between both vessels causing crush injuries to the pelvic area. The injured Casualty was brought back onboard Simmerdim and was subsequently airlifted to Galway University Hospital where his injuries were assessed and included multiple fractures to the pelvis and fractured hip socket joints.</p>

Name of vessel/incident: **FV Bikain**

TYPE OF CRAFT	Fishing Vessel > 15 m
TYPE OF INCIDENT	Collision with marina and other vessels
FATALITIES	None
SUMMARY	<p>The French registered fishing trawler Bikain was alongside, at the end of the main finger pier, in Dingle Harbour, Co. Kerry and was preparing to go to sea to resume fishing. The main engine was started and checks for sailing were being carried out when the controllable pitch propeller went to the full astern position. The captain tried to stop the main engine with the emergency stops on the wheelhouse console, but this failed. The ropes holding the vessel parted and the vessel went quickly astern and made heavy contact with the southern boat marina pontoon causing extensive damage to the pontoon and to several boats that were secured there at the time.</p> <p>The main engine was eventually stopped by shutting off the fuel and the vessel drifted across the harbour basin. Another trawler, moored on the main jetty, saw the incident, and quickly went to assist and towed the Bikain back alongside the jetty.</p> <p>There were no injuries and no pollution but extensive damages to pontoon and moored boats.</p>

Name of vessel/incident: **Arklow Raider**

TYPE OF CRAFT	Cargo Ship
TYPE OF INCIDENT	Vessel ran aground
FATALITIES	None
SUMMARY	<p>The cargo vessel Arklow Raider, proceeded on a laden passage up the Bristol Channel towards her destination port of Sharpness, UK. At around 19.19 hrs the vessel passed under the Severn Bridge and the Pilot commenced a planned turn to port to round Lyde Rock. Despite the Pilot applying starboard helm to counter the anticipated currents and counter currents, the vessel rapidly sheered to port before grounding heavily by the bow on a mud and rock bottom at approximately 19.21 hrs. After sounding all compartments and determining no apparent water ingress, the vessel was re-floated under its own power on the still rising tide. The passage was aborted and successfully completed on the following tide with the same Pilot. The vessel sustained damage to the shell plating and framing in the forepeak ballast tank, with water ingress subsequently detected in the forepeak. The vessel was dry-docked for repairs. No persons were injured, and no pollution occurred.</p>

Summary of Reports Published 2022

1st January to 31st December 2022

The following tables are summarised from published reports and are intended to give an overview. Full reports can be viewed on the MCIB website www.mcib.ie

Name of vessel/incident: Carrickcraft	
DATE OF PUBLICATION	17 January, 2022
TYPE OF CRAFT	Pleasure Craft
DATE OF INCIDENT	6 September, 2020
SUMMARY	On 6 September 2020 four clients of Carrickcraft (Shannon Leisure Development Co. Ltd), having rented a Linssen Grand Sturdy 35.0 motor cruiser on the previous day, departed Carrick-on-Shannon, Co. Leitrim heading south. Approximately 45 minutes into their journey, near Jamestown, a fire broke out in the engine compartment. The clients abandoned the vessel onto a passing charter boat. The fire brigade attended the scene and extinguished the fire. Soon afterwards the vessel sank in approximately 8 m of water.
INJURIES/FATALITIES	None
CAUSE OF INCIDENT	<p>Charter vessels are not considered passenger vessels and therefore are not subject to the requirements of the Merchant Shipping Act 1992. Instead, charter vessels come under the legislative requirements and recommendations detailed in the CoP. The CoP does not provide for the mandatory fitting of fire detection systems on recreational craft and hence there was no fire detection system fitted to the Carrickcraft vessel X4. If this fire had started while any of the party were asleep, then the consequences could have been more serious.</p> <p>The fire started as a result of one of a number of potential electrical issues onboard this Linssen Grand Sturdy 35.0. The extent of the fire means that the exact component at fault will never be definitely determined.</p>

Name of vessel/incident: FV Mirror of Justice	
DATE OF PUBLICATION	24 February, 2022
TYPE OF CRAFT	Fishing Vessel <15 m
DATE OF INCIDENT	26 August 2020
SUMMARY	On 26 August 2020 the 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).
INJURIES/FATALITIES	1 Fatality
CAUSE OF INCIDENT	<p>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 winchman who was lowered from Rescue Helicopter R118. 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.</p> <p>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 onboard 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.</p>

Name of vessel/incident: FV Horizon	
DATE OF PUBLICATION	19 April, 2022
TYPE OF CRAFT	Fishing Vessel >15 m
DATE OF INCIDENT	14 May, 2021
SUMMARY	<p>Shortly before 02.00 hrs on the morning of Thursday 14 May 2021 the FV Horizon was fishing with four crew onboard, approximately 20 NM off the Old Head of Kinsale, Co. Cork, when the Skipper noticed large amounts of smoke coming from the accommodation of the vessel. Despite the crew's firefighting efforts, the fire took hold and spread. The Skipper broadcast a MAYDAY distress call by Very High Frequency (VHF) radio and the crew took to a life raft. The crew were recovered from their life raft by the offshore supply ship Pathfinder, but despite efforts to fight the fire by a responding offshore supply ship Maersk Maker, the fishing vessel sank at approximately 07.00 hrs, close to the position where it initially caught fire. There was some sea surface oil pollution reported which appears to have dissipated naturally.</p> <p>Weather and sea conditions at the time were good with light winds and a moderate sea. The crew were subsequently transferred to the Courtmacsherry Lifeboat and brought ashore. There were no injuries suffered by the crew.</p>
INJURIES/FATALITIES	None
CAUSE OF INCIDENT	<p>The vessel was materially fit for purpose and in a stable condition immediately prior to the incident and the vessel's condition was not a factor in the fire and loss of FV Horizon.</p> <p>The ignition source for the outbreak of the fire in the FV Horizon is not known with any certainty but it is reasonably deduced that an unattended mobile phone or other similar electronic device in the process of being charged and/or an electronic device battery charger into a 240 volt (V) alternating current (AC) circuit in the crew accommodation cabin may have been the source of ignition for this fire.</p> <p>The time delay (in fighting the fire) caused by the failure of the smoke detector alarm allowed the fire to take hold and spread before being spotted by the Skipper when he returned to the wheelhouse.</p> <p>The combustible materials commonly used onboard FV Horizon (a wood constructed fishing vessel), particularly the amounts of liquefied petroleum gas, oils and plastic onboard, provided adequate fuel for the fire. This enabled the fire to rapidly spread through the vessel.</p> <p>The exposure of the flexible plastic hose components of the vessel's machinery cooling systems to the fire in the engine room, allowing them to melt and lose their watertight integrity, thereby allowing seawater into the vessel to the extent that FV Horizon filled with seawater and sunk.</p> <p>The absence of fire proofing materials in the flexible hose components of the vessel's machinery cooling systems connecting to the through hull shipside valves allowed seawater to enter the vessel when the flexible hoses melted in the intense heat of the engine room fire. This allowed seawater to flood the vessel.</p> <p>Had the fire detection system onboard FV Horizon been more in-line with the more stringent requirements of the International Fire Safety Systems Code which requires the fire detection system to include both audible and visual fault signals, the fire in the accommodation cabin would likely have been detected earlier. However, FV Horizon was an 'existing vessel' in 2007 when Statutory Instrument (S.I.) No. 640 of 2007 was promulgated. Therefore, the lesser requirements of Regulation 80(17) of S.I. No. 640 of 2007 applied to the fire detection system on the FV Horizon and only audible smoke detector alarms were fitted.</p>

Name of vessel/incident: FV Marliona	
DATE OF PUBLICATION	19 October,2022
TYPE OF CRAFT	Fishing Vessel >15 m
DATE OF INCIDENT	3 February, 2021
SUMMARY	<p>At approximately 14.05 hrs on the afternoon of 3 February 2021, a serious marine casualty occurred on the FV Marliona while alongside Greencastle Harbour, Co. Donegal. During a repair process the Skipper's left arm became trapped by a trawl door causing severe damage to his arm.</p> <p>First aid was administered by another crewmember and the bleeding was stopped. The ambulance was called and arrived at 14.30 hrs, and the Casualty was transferred to the nearest hospital where he was treated for his injuries and they managed to save his arm. He was released the same day but continued to receive treatment and only returned to work in May 2021.</p>
INJURIES/FATALITIES	Crush injury to the Skipper's left arm.
CAUSE OF INCIDENT	<p>There was a failure to identify the consequences of the trawl door not being in the correct position. There was also a failure to take into account the possibility of additional vessel movement from the harbour. This operation should have been done on the quay wall, i.e., the door should have been landed onto the quay and the chain-link removed there. This would have been a quick operation to complete in a safe manner. The absence of a safety assessment and a method statement in the safety statement for this type of operation was a contributory factor to the incident.</p> <p>The time sheets were inspected, and inconsistencies were noted. The MCIB can make no finding about compliance or non-compliance with the Regulations as that is within the jurisdiction of the MSO. Irrespective of whether there was or was not compliance with the Regulations, it cannot be discounted that fatigue may have been a contributory human factor. It is likely that another human factor was that of time pressure to effect the repairs during a limited time in port before the next fishing trip.</p> <p>As Crewmember B had recently completed his first aid course in November, he was able to act appropriately to prevent the Casualty from bleeding out and dying.</p>

Name of vessel/incident: Arklow Clan	
DATE OF PUBLICATION	29 November, 2022
TYPE OF CRAFT	Cargo Ship
DATE OF INCIDENT	11 August, 2021
SUMMARY	The cargo vessel Arklow Clan, berthed alongside at the Port of Aberdeen, Scotland, UK during the afternoon of 11 August 2021, in ballast condition, and scheduled to commence loading a cargo of scrap metal in bulk the following morning. At around 17.49 hrs, three crewmembers commenced lowering the walkway handrails in preparation for loading operations. Whilst lowering the handrails, the Second Officer lost his footing, falling around 3.6 m from the walkway to the quay below. As a result of the impact the Second Officer sustained serious injuries to both his legs, necessitating an extensive period of hospitalisation, multiple surgeries, and rehabilitation.
INJURIES/FATALITIES	Serious injuries sustained
CAUSE OF INCIDENT	<p>At 17.49 hrs on 11 August 2021, while the Arklow Clan was moored alongside at the Port of Aberdeen, the Second Officer fell approximately 3.6 m from the walkway to the quay. In doing so he sustained serious and potentially fatal injuries.</p> <p>Environmental factors, such as weather and movement of the vessel are unlikely to have been contributing factors. The Second Officer was not suffering from excessive fatigue, but fatigue associated with working at night and keeping the 12 to four watch may have caused him to momentarily lose concentration.</p> <p>Full body harnesses were available onboard the vessel and had they been correctly used the incident would have been avoided. The root cause of the incident was a failure to follow safe systems of work applicable for working at height including adequate risk assessment, completion of a permit to work and "toolbox talks". These deficiencies were quickly identified post incident by Arklow Shipping and rectified.</p>

Name of vessel/incident: Stena Europe - Connemara	
DATE OF PUBLICATION	22 December 2022
TYPE OF CRAFT	Two Passenger Ferries
DATE OF INCIDENT	16 March, 2022
SUMMARY	On the morning of 16 March 2022, just outside the breakwater of Rosslare Harbour, Co. Wexford, two large passenger ferries engaged in a close quarter incident resulting in the ferries passing approximately 100 m apart. The inbound vessel Connemara arrived from Bilbao in Spain; it was scheduled to arrive at 08.15 hrs. This vessel arrived early and was asked by Rosslare Port Control to wait outside the harbour in the vicinity of West Holdens buoy. The outbound vessel Stena Europe was scheduled to sail for Fishguard in the UK at 07.30 hrs. Connemara did not follow the instructions from Rosslare Harbour Control and instead of holding position proceeded towards the breakwater. Stena Europe was given permission to sail by Rosslare Port Control and departed its berth unaware that Connemara was approaching the breakwater. The two vessels met each other just off the breakwater. Both vessels had to take action to avoid collision resulting in a close quarter situation.
INJURIES/FATALITIES	None
CAUSE OF INCIDENT	The bridge team of Connemara failed to follow instructions from Rosslare Port Control and instead proceeded directly towards the port knowing that another

vessel was outbound. Although it was the stand on vessel under the International Regulations for the Prevention of Collisions at Sea (IRPCS) and therefore obliged to maintain course and speed in a crossing situation where risk of collision existed, under IRPCS; Rule 17 (a) (ii) the option was available to Connemara at any time to alter course and/or speed. Rule 17 (a) (ii) states that as soon as it becomes apparent that the give way vessel, in this case the outbound vessel Stena Europe, was not taking appropriate action, the stand on vessel may take action. In his statement, the Master of the inbound vessel Connemara said he was unclear of the intentions of outbound vessel.

Given this uncertainty, the inbound vessel, Connemara, should have taken greater action, and taken it much earlier, in order to avoid this close quarter situation. Further to this, under the IRPCS; Rule 2 (b), the inbound vessel could have at any time, altered course and/or speed as necessary as the rule specifically allows for a departure from the rules to “avoid immediate danger”. The inbound vessel could have avoided the situation entirely by utilising the deep water to the north of West Holdens buoy to manoeuvre while waiting for the outbound vessel to clear the channel, therefore, avoiding any possibility of a close quarter situation developing. This is also something that could have been communicated to the inbound vessel by Rosslare Port Control had the duty Port Controller noticed that the inbound vessel was not following his advice. It is evident from the Voyage Data Recorder (VDR) recording and conflicting statements received from the bridge team of Connemara that communication among the bridge team was extremely poor leading to a situation where there was uncertainty as to who was in control of the situation. It is further evident from the Connemara VDR recording and statements from the bridge team that planning, in particular contingency planning, among the bridge team was severely lacking.

The outbound vessel was in a position to have avoided this close quarter situation. It is evident from its VDR recording that it was concerned about its sailing time and not being held up by the early arrival of Connemara. This may have affected its decision making process and caused it to overlook the progress of the inbound vessel in its eagerness to sail on schedule. The final decision to depart the berth is up to the Master of the vessel. This is reflected in the Safety Management System (SMS) which states that the Master must ensure all statutory requirements are complied with. This includes the IRPCS which requires keeping a lookout at all times. The bridge team on Stena Europe did not comply with this. Rosslare Port Control should have been able to manage this situation and to ensure that arriving and departing vessel do not have to worry about close quarter situations off the entrance to the harbour. Arriving and departing vessels should not end up in a situation where they have to contact each other on VHF to arrange passing. The duty Port Controller was also engaged in other duties in addition to Vessel Traffic Service (VTS) duties. He could not have been completely focused on the vessels manoeuvring in and off the port. The Port Controller has no maritime qualifications or training and therefore cannot be expected to fully appreciate the manoeuvrability of the vessels operating in and out of the port. A lack of training and maritime experience meant that the Port Controller could not have anticipated the seriousness or potential consequences of allowing a situation such as this one to develop.

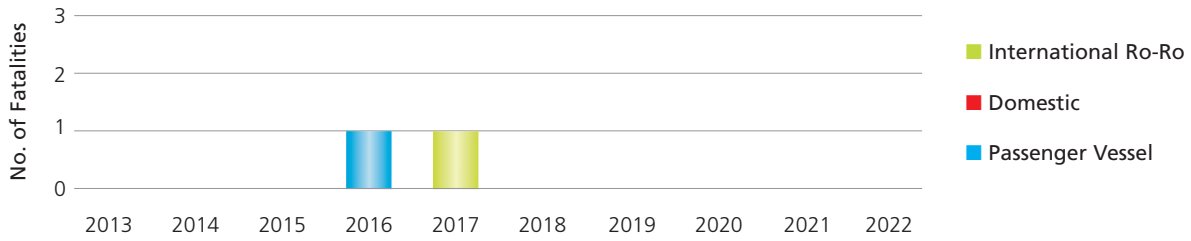
Name of vessel/incident: Frazer Tintern	
DATE OF PUBLICATION	29 December, 2022
TYPE OF CRAFT	Passenger Ferry
DATE OF INCIDENT	05 August, 2021
SUMMARY	<p>At approximately 18.05 hrs on 5 August 2021, when en route to Passage East, Co. Waterford the Master of the vessel Frazer Tintern detected a strong smell of diesel fuel. At that point, a crewmember called him to say that he could also get a strong smell of diesel and was going to investigate. When the crewmember got to the mesh door at the number one (No.1) engine compartment he was met with black smoke and flames. The crewmember notified the Master straight away that they had a fire onboard. The Master immediately shut down the No.1 engine and turned off the engine room fans. Two crewmembers then activated two portable fire extinguishers and rigged fire hoses to provide boundary cooling. The vessel continued to the Passage East slipway to get passengers off as quickly and safely as possible. As a precaution all passengers were summoned to the muster station and issued with lifejackets. On the way to the Passage East slipway the fire was brought under control. On arrival at Passage East all passengers and vehicles were disembarked in a safe manner. The vessel was then secured, and the remaining engines shut down. When the smoke dispersed fully the crew investigated the engine room to confirm the fire had been extinguished.</p>
INJURIES/FATALITIES	None
CAUSE OF INCIDENT	<p>The fire was most likely caused by a return line fuel leak on No.1 main engine providing fuel to the area. The volume and pressure of the fuel was greatly increased by the fuel return line being blocked or shut off. The ambient high temperature and swirling air flow in the vicinity assisted in the atomisation of the fuel. The fuel may have been ignited by arcing of the No.1 main engine alternator. It was more likely to have been from fuel spraying onto hot surfaces such as the engine exhaust manifold or turbocharger casing. Shutting down the engine removed the source of fuel from the fire and would have had a far greater effect in extinguishing it than the use of portable extinguishers. Due to the extent of the fire and subsequent damage to No.1 engine the exact location and cause of the fuel leak has been impossible to determine. It is hard to rule out the No. 1 engine fuel leak on the morning of the event having an association with the fire. The repair was carried out by using a hose clip to re-attach the return fuel line rather than a spring clip as used by the manufacturer. If the hose clip was over tightened it may have damaged the hose resulting in failure later in the day. Return fuel lines on this engine would have been new with the engine in 2016.</p> <p>Due to the airflow from No. 1 engine access door, the fire spread onto the car deck in an area open to the public. This also prevented access to the port side fire flaps and fan stops. Although the door has been modified to close on activation of the fire alarm, in this instance the fire would have spread to the public space prior to the door closing. The fuel systems on this vessel include a shut off valve on the return line. If this valve is closed while the engines are in operation this would lead to over pressurisation of the fuel system leading to component failure and considerable fuel leakage at pressure. The operators have stated that prior to the incident they carried out fire drills. There are no records of these being carried out or what was involved in the drills. Post incident, drills are carried out on a weekly basis, with at least one of each drill (Man Overboard/Fire in Accommodation, Car Deck or Engine Room/ Abandon Ship) carried out per month. The operators have also put in place a Domestic SMS to ensure daily checks are carried out and a smooth handover between shifts has been introduced. The Master of the vessel should have notified the Coast Guard of the fire by a VHF Pan-Pan call as soon as it was discovered.</p>

Comparisons of Marine Casualties 2013 - 2022

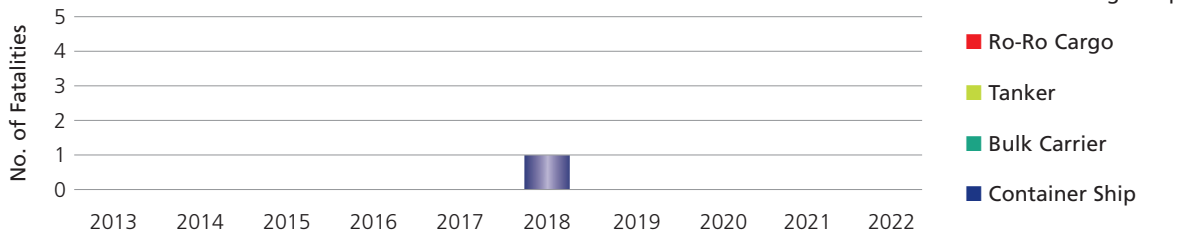
Type of Craft	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Passenger Ships/Vessels										
International Ro-Ro				10 injuries	1 Fatality					
Domestic				2 Injuries						
Passenger Vessel				1 Fatality 1 injury						1 Injury
Sub total	None	None	None	1 Fatality 13 Injuries	1 Fatality	None	None	None	None	1 Injury
Cargo Ships										
General Cargo Ships										1 Injury
Ro-Ro Cargo										
Tanker										
Bulk Carrier										
Container Ship						1 Fatality				
Car Carrier										
Work Boat Pilot/Barge										
Heavy Lift										
Sub total	None	None	None	None	None	1 Fatality	None	None	None	1 Injury
Fishing Vessels										
< 15 metres	2 Fatalities	1 Fatality	1 Fatality	2 Fatalities	2 Fatalities	2 Fatalities	2 Fatalities	3 Fatalities		1 Injury
15 - 24 metres	3 Fatalities							1 Fatality 1 Injury	1 Injury	1 Injury
> 24 metres			2 Fatalities	2 Fatalities					1 Injury	2 Injuries
Sub total	5 Fatalities	1 Fatality	3 Fatalities	4 Fatalities	2 Fatalities	2 Fatalities	2 Fatalities	4 Fatalities 1 Injury	2 Injuries	4 Injuries
Recreational Craft										
Jet Skis										
Open Boats/Canoe	1 Fatality	3 Fatalities/ 1 Injury		1 Fatality/ 1 Injury	1 Fatality	1 Fatality	3 Fatalities/ 1 Injury			
Motor (Decked)			2 Fatalities	3 Fatalities		1 Fatality	1 Fatality			
Sail		1 Fatality								
Fast Power Craft/RIB					2 Fatalities	3 Fatalities				
Sub totals	1 Fatality	4 Fatalities/ 1 Injury	2 Fatalities	4 Fatalities/ 1 Injury	3 Fatalities	5 Fatalities	4 Fatalities 1 Injury	None	None	None
Total Incidents	6	7	7	15	5	5	10	8	8	11
Total Fatalities	6	5	5	9	6	8	6	4	0	0
Total Injuries	0	1	0	14	0	0	1	1	2	6
Total No. of Vessels involved	6	7	7	15	5	5	11	8	8	21

Fatality Trends 2013 - 2022

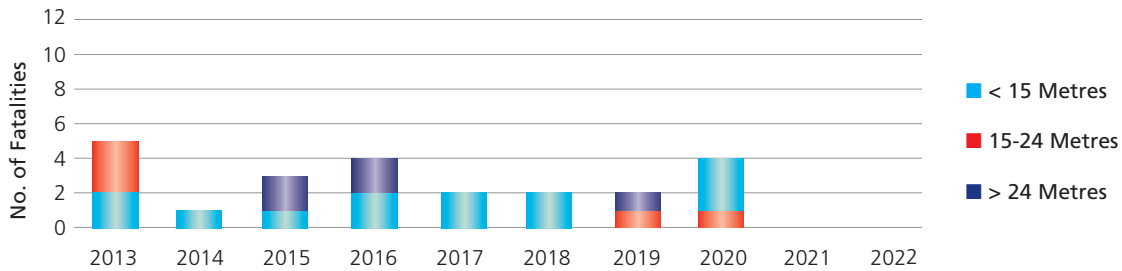
Passenger Ships/Vessels



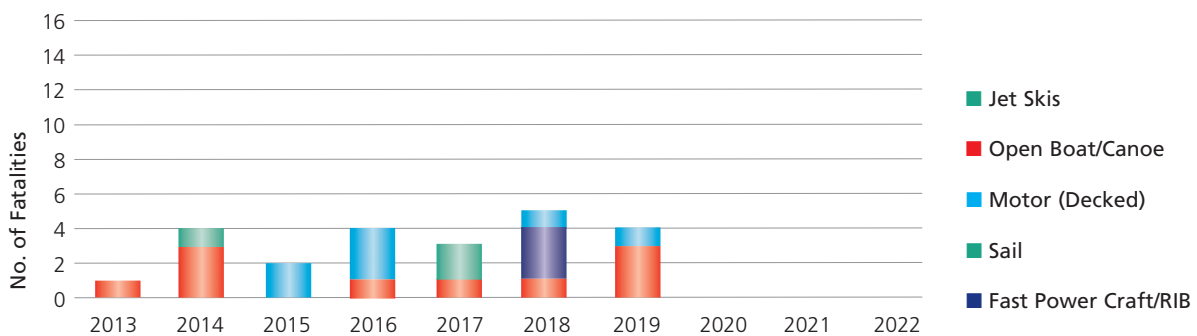
Cargo Ships



Fishing Vessels



Recreational Craft



Appendix A

The incidents set out under were considered by the MCIB but not investigated. Some of these incidents involved co-operation with other flag states or in some case the uploading of key data onto the European Maritime Casualty Investigation Platform (EMCIP).

MCIB Ref.	Vessel Name	Date	Incident details
MCIB/13/480	Wilson Hansa	19/01/2022	Engine problem
MCIB/13/481	FV Shauna Leon	20/01/2022	Fouled propeller
MCIB/13/482	FV Sceptre	06/02/2022	Sunken vessel
MCIB/13/483	SV Arruno	09/02/2022	Vessel adrift
MCIB/13/484	FV St. Alour	08/02/2022	Injured crewmember
MCIB/13/485	FV Mariscador	10/03/2022	Injured crewmember
MCIB/13/486	MV Alizee	12/03/2022	Fire onboard
MCIB/13/487	MV WB Yeats	13/03/2022	Vessel damaged
MCIB/13/488	Venture Luck	09/03/2022	Vessel not under command and grounded
MCIB/13/489	FV Le Stiff	20/03/2022	Injured crewmember
MCIB/13/492	FV Albelo Primero	31/03/2022	Injured crewmember
MCIB/13/493	MV Stena Estrid	04/04/2022	Missing passenger
MCIB/13/494	FV Hent Ar Mor	27/03/2022	Injured crewmember
MCIB/13/495	FV Slaatteroy	15/04/2022	Injured crewmember
MCIB/13/496	FV Nuevo San Juan	17/04/2022	Injured crewmember
MCIB/13/497	Malahide Estuary	13/03/2022	Kayakers capsized
MCIB/13/498	RNLI Lifeboat D815	21/04/2022	Injured crewmember
MCIB/13/499	MV Stena Estrid	21/04/2022	Power lost on main engine
MCIB/13/500	Kethi	15/04/2022	Loss of equipment
MCIB/13/501	Carrickcraft cruiser	01/05/2022	Vessel hit rocks and suffered water ingress
MCIB/13/502	FV Virtuous	28/05/2022	Injured crewmember
MCIB/13/503	FV Fertile	30/05/2022	Injured crewmember
MCIB/13/504	FV Piedras	01/06/2022	Sunken vessel
MCIB/13/505	Drum Derrig	14/06/2022	Sunken vessel
MCIB/13/506	Lady Breda	19/06/2022	Unplanned life raft launching
MCIB/13/507	FV Illunbe	26/06/2022	Crewmember overboard
MCIB/13/508	MV Katre	03/07/2022	Vessel aground
MCIB/13/510	Emerald Star Cruiser	28/06/2022	Vessel trapped against the bridge
MCIB/13/511	RIB Mr. B	08/07/2022	Vessel reported to be taking on water

MCIB Ref.	Vessel Name	Date	Incident details
MCIB/13/512	Houseboat Mollie	11/07/2022	Vessel took on water and ran aground
MCIB/13/513	Vessel (no name)	17/07/2022	Boating accident
MCIB/13/514	MV Delphine	17/07/2022	Engine failure
MCIB/13/515	RO-RO Dublin Swift	23/07/2022	Engine room incident
MCIB/13/516	FV Argonaut IV	24/07/2022	Vessel suffered water ingress
MCIB/13/517	Yacht Meridian II	09/07/2022	Engine problem/injured person
MCIB/13/518	MV Yassy	28/06/2022	Gearbox failure
MCIB/13/519	MV Roman Rebel	27/07/2022	Injured crewmember
MCIB/13/520	MV Arklow Spray	07/05/2022	Vessel aground
MCIB/13/521	FV Shauna Leon	04/08/2022	Fouled propeller
MCIB/13/522	Ballybunion Rescue Boat	02/08/2022	Vessel capsized
MCIB/13/523	Jean Spier	02/08/2022	Injured crewmember
MCIB/13/524	FV Carmona	10/08/2022	Injured crewmember
MCIB/13/525	Northern Maria	09/08/2022	Vessel aground
MCIB/13/526	Heulin Dispatch	14/08/2022	Injured crewmember
MCIB/13/527	Speedboat	13/08/2022	Sunken vessel
MCIB/13/528	FV Monica II	15/08/2022	Fire onboard
MCIB/13/529	SV Magoo	12/08/2022	Collision/injured person
MCIB/13/530	FV Clodagh O	21/08/2022	Propped and disabled
MCIB/13/531	FV Spica	01/09/2022	Injured crewmember
MCIB/13/532	Spirit of Adventure	01/09/2022	Injured crewmember
MCIB/13/533	Dinghies in difficulty	19/08/2022	Multiple dinghies in difficulty
MCIB/13/534	SV Polaris and FV Kate D	15/09/2022	Collision at sea
MCIB/13/535	FV Amethyst	17/09/2022	Sunken vessel
MCIB/13/536	Small fishing boat	17/09/2022	Vessel capsized
MCIB/13/537	FV Independence	21/09/2022	Engine failure
MCIB/13/538	MV Mirror	29/09/2022	Engine failure
MCIB/13/539	FV Dever Ar Mor	04/10/2022	Fouled propeller
MCIB/13/540	Arklow Cliff	06/10/2022	Engine failure
MCIB/13/541	FV Ocean Pioneer	12/10/2022	Fouled propeller
MCIB/13/542	CT Rotterdam	19/10/2022	Vessel not under command
MCIB/13/543	Clipper Point	18/10/2022	Injured crewmember

MCIB Ref.	Vessel Name	Date	Incident details
MCIB/13/544	FV Atlantic Drift	21/10/2022	Sunken vessel
MCIB/13/545	Austin Lidbury Lifeboat	29/10/2022	Injured crewmember
MCIB/13/548	FV Dawn Ross	31/10/2022	Injured crewmember
MCIB/13/549	FV Kristel Patrick	20/11/2022	Injured crewmember
MCIB/13/553	FV Danny Finn	02/12/2022	Injured crewmember
MCIB/13/554	FV Grand Saint Bernard	03/12/2022	Injured crewmember
MCIB/13/555	FV Mairi Maree	02/12/2022	Fouled propeller
MCIB/13/556	FV Mac Dara	02/12/2022	Collison with pier
MCIB/13/557	FV Carmona	05/12/2022	Engine failure
MCIB/13/558	MV Ocean Globe	14/12/2022	Injured crewmember
MCIB/13/559	Kayak	29/12/2022	Kayaking incident
MCIB/13/560	FV Gracefulmorn 2	23/12/2022	Injured crewmember
MCIB/13/561	MS Stena Horizon	31/12/2022	Blackout onboard

Financial Statements

2022



Reporting Period 1st January to 31st December 2022

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Governance Statement and Board Members' Report

For the year ending 31st December 2022

Principal activities

The principal activity of the organisation continued to be the carrying out of investigations into marine casualties that take place to, or on board, Irish registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

Governance

The Board of Marine Casualty Investigation Board (MCIB) was established under Section 7(1) of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000. The functions of the Board are set out in the Act of 2000 and the European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011 and the European Communities Act 1972, European Communities (Merchant Shipping)(Investigation of Accidents) (Amendment) Regulations 2020 and the Merchant Shipping (Investigation of Marine Casualties)(Amendment) Act 2022. The Board is accountable to the Minister for Transport and is responsible for ensuring good governance and performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. The regular day-to-day management, control and direction of MCIB are the responsibility of the Board Members and the Secretary to the Board.

Board Responsibilities

The work and responsibilities of the Board are set out in The Code of Conduct, which also contains the matters specifically reserved for Board decision. Standing items considered by the Board include:

- declaration of interests,
- risk register,
- financial reports/management accounts,
- investigation reports.

Section 20(1) of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000, requires the Board to keep, in such form as may be approved by the Minister for Transport with the consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it.

In preparing these financial statements, the Board of the MCIB is required to:

- select suitable accounting policies and apply them consistently,
- make judgements and estimates that are reasonable and prudent,
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that it will continue in operation, and
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Board is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 20(1) of the

Merchant Shipping (Investigation of Marine Casualties) Act, 2000. The maintenance and integrity of the corporate and financial information on the MCIB website is the responsibility of the Board.

The Department of Transport (DoT) is responsible for allocating the annual budget. The MCIB profiles its spending at the beginning of the year to the DoT. Due to the nature of the work undertaken by the MCIB, the Board is not in a position to plan and budget with certainty for the year ahead. As a result, the Board did not use a budget as a comparison for their review of the MCIB's performance in 2022.

The Board is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Board considers that the financial statements of MCIB give a true and fair view of the financial performance and the financial position of MCIB at 31 December 2022.

Implementation

Paragraph 1.19 of *Code of Practice for the Governance of State Bodies* ('the Code') requires the implementation of strategy by the management of each State body to be supported through an annual planning and budgeting cycle. Boards of State bodies are required to approve an annual plan and/or budget and to formally evaluate the actual performance by reference to the plan and/or budget on an annual basis. Due to the nature of work the MCIB undertakes, i.e. investigating marine casualties that take place to, or on board Irish registered vessels worldwide, and other vessels in Irish territorial waters and inland waterways it is not possible for the Board of the MCIB to plan with certainty for the year ahead.

Board Structure

The Board consists of not fewer than 5 members and not more than 7 members, who are appointed by the Minister.

BOARD MEMBER	ROLE	DATE APPOINTED / TERM COMPLETED
Claire Callanan	Chairperson	Appointed January 2019
Dorothea Dowling	Deputy Chairperson	Appointed April 2017
Frank Cronin	Ordinary Member	Appointed April 2017
Keith Patterson	Ordinary Member	Appointed July 2022

On 9 July 2020 the Court of Justice of the European Union ruled that Ireland had not correctly implemented Article 8(1) of Directive 2009/18/EC. The finding, made against Ireland (not the MCIB) in relation to its implementation of Directive 2009/18/EC of 23 April 2009, identified a possible conflict and that there had to be a guarantee of structural independence. The judgement is summarised as follows; The presence within [the MCIB] of two civil servants who are respectively responsible for the DTTS and the Marine Survey Office, public authorities whose interests could conflict with the task entrusted to the MCIB, has the consequence that independence in that body's organisation and decision making is not guaranteed. There was no evidence advanced whatsoever of any actual conflicts having arisen within the MCIB and expressly no complaint about the independence of its legal structure.

Following a review of the decision, the Board has implemented additional measures and procedures to better ensure the continued effective operation and compliance with the Directive as now interpreted by the CJEU.

The State addressed the Court findings through the making of amended regulations under the European Communities Act 1972 (S.I. No. 444 of 2020) to confirm that persons who fill either of the two positions can no longer be appointed as Board members for the purpose of investigations that fall within the scope of the Directive.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Board meetings for 2022 is set out at Note 5 to the financial statements and outlines details of the fees and expenses received by each member during the year.

Performance Review

The Board has engaged with an external accountant to assist in the reviewing of the system of internal control. The review was finalised and the report approved by the Board in May 2023.

Key Personnel Changes

Keith Patterson was appointed as a Board Member in July 2022. There were no other key personnel changes in the year ended 31 December 2022.

Committees

There are no committees in place. The MCIB was awarded a continued derogation regarding the Audit and Risk Committee based on the current structures and procedures in place within MCIB for financial oversight and risk management.

Disclosures Required by Code of Practice for the Governance of State Bodies (2016)

The Board is responsible for ensuring that the MCIB has complied with the requirements of The Code, as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code:

Travel and Subsistence Expenditure

There were €676 of travel and subsistence costs incurred by staff and board members during the year ended 31 December 2022 (2021: nil).

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

	2022	2021
Consultative advice on the legislative process and related	62,662	3,690
Total	62,662	3,690

Legal and professional fees of €24,300 (2021: €77,121) relate to expenditure on processes that have been outsourced under 'business as usual'. The MCIB was awarded 80% of their legal costs relating to judicial review proceedings which were successfully defended.

Hospitality Expenditure

Hospitality expenditure during the year was €933 (2021: €273). Hospitality expenditure relates to costs incurred for a Board meeting.

Additional Disclosures

Employee' short-term benefits breakdown disclosure is included in Note 4 to the financial statements.

Other disclosures required by The Code in relation to legal costs and settlements, hospitality, and termination/severance payments and agreements are not disclosed as no expenditure was incurred in relation to these categories in the year ended 31 December 2022.

Statement of Compliance

The Board has adopted the Code of Practice for the Governance of State Bodies (2016) and has put procedures in place to ensure compliance with The Code. The MCIB was awarded a continued derogation regarding the Audit and Risk Committee based on the current structures and procedures in place within MCIB for financial oversight and risk management.

The derogations from certain provisions of The Code given to the MCIB due to its small size and nature of its activities are listed below:

- Internal Audit, and Audit and Risk Committee¹
- Property Acquisition and Disposal of Surplus Property
- Acquisition of Land, Buildings or other Material Assets
- Capital Investment Appraisal
- Diversification, Establishment of Subsidiaries and Acquisitions by State Bodies
- Disposal of State Assets
- Compliance with use of Auction or Tendering Requirements²
- Risk Appetite Statement

The MCIB engages a firm of accountants who prepare the Financial Statements each year and assist MCIB during the audit process. A separate team from the accounting firm is also engaged to conduct an annual review of MCIB's internal financial controls.

The MCIB maintains a risk register which is reviewed as a standing item at every Board meeting.

The MCIB oversight agreement was finalised on 6th May 2022 after discussions and review with DTTAS.



Claire Callanan

Chairperson

14 June 2023

1. The MCIB maintains a risk register and a Risk Policy.

2. This derogation refers to 8.36 – 8.43 of the Code of Practice and does not extend to tendering for ongoing MCIB programme matters.

Statement on Internal Control

For the year ending 31st December 2022

Scope of Responsibility

On behalf of MCIB, I acknowledge the Board's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of The Code.

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded and that material errors or irregularities are either prevented or detected in a timely way.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform has been in place in MCIB for the year ended 31 December 2022 and up to the date of approval of the financial statements.

Capacity to Handle Risk

Due to its small size the MCIB has received a derogation from the Department of Transport in respect of the Internal Audit function. The MCIB currently engages with its outsourced accountants to conduct an internal control review.

Risk and Control Framework

The MCIB has implemented a risk management system via a Risk Policy which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A risk register is in place which identifies the key risks facing MCIB and these have been identified, evaluated and graded according to their significance. The register is reviewed on a quarterly basis, it is a standing item on the Board agenda should adjustments be required between reviews. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff. I confirm that a control environment containing the following elements is in place:

- procedures for all key business processes have been documented,
- financial responsibilities have been assigned at management level with corresponding accountability,
- an annual non-pay budget of €598,000 is provided by DoT to the MCIB for investigations and other business expenditure. The budget is drawn down as the MCIB bank balance reaches approximately €50,000. If there is a sufficient bank balance at the year end and the MCIB can confirm that further funds will not be required, the remainder of the grant not drawn down is retained by the Department.
- there are systems in place to safeguard the assets.

Ongoing Monitoring and Review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Board, where relevant, in a timely way. I confirm that the following ongoing monitoring systems are in place:

- business operational reporting can be used to derive assurance in relation to how risks are being managed,
- management activity is monitored and reviewed to determine that quality arrangements are being met in line with expectations for specific areas of risk, and
- internal control reviews are carried out by independent accountants on an annual basis.

Procurement

I confirm that the MCIB has procedures in place to ensure compliance with current procurement rules and guidelines and that during 2022 the MCIB complied with those procedures.

Review of Effectiveness

I confirm that the MCIB has procedures to monitor the effectiveness of its risk management and control procedures. All Board members have knowledge of all expenditure entered into by the MCIB in the discharge of its statutory role and are updated by the Secretary to the Board, on an ongoing basis and at each monthly Board meeting, of all payments made and any issues likely to impact on the finances of the MCIB. All payments made require the approval of and authorisation by two members of the Board on the online AIB banking system.

The MCIB's monitoring and review of the effectiveness of the systems of internal control is further informed by the work of the external auditors, the external accountants who review the internal control function, and the senior management within the MCIB responsible for the development and maintenance of the internal control framework.

I confirm that the Board conducted an annual review of the effectiveness of the internal controls for 2022 informed by the MCIB procedures in place to monitor and control ongoing Board business and expenditure, and the report of the accountants engaged in February 2023 to undertake an external review of internal controls. The Internal Control Review report was considered and approved by the Board at the Board meeting on the 9th May 2023. The Board is satisfied that the controls in place are robust and effective.

Internal Control Issues

No weaknesses in internal control were identified in relation to 2022 that require disclosure in the financial statements.

Signed on behalf of the Board



Claire Callanan
Chairperson
14 June 2023

Report of the Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas
Marine Casualty Investigation Board

Opinion on financial statements

I have audited the financial statements of the Marine Casualty Investigation Board for the year ended 31 December 2022 as required under the provisions of section 20 of the Merchant Shipping (Investigation of Marine Casualties) Act 2000. The financial statements comprise

- ◆ the statement of income and expenditure and retained revenue reserves
- ◆ the statement of financial position
- ◆ the statement of cash flows and
- ◆ the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Marine Casualty Investigation Board at 31 December 2022 and of its income and expenditure for 2022 in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

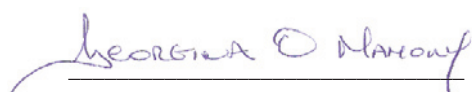
I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Marine Casualty Investigation Board and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Marine Casualty Investigation Board has presented certain other information together with the financial statements. This comprises the annual report, the governance statement and Board members' report and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.



Georgina O Mahony

For and on behalf of the Comptroller and Auditor General
15 June 2023

Appendix to the report

Responsibilities of Board members

As detailed in the governance statement and Board members' report, the Board members are responsible for

- the preparation of annual financial statements in the form prescribed under section 20 of the Merchant Shipping (Investigation of Marine Casualties) Act 2000
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 20 of the Merchant Shipping (Investigation of Marine Casualties) Act 2000 to audit the financial statements of the Marine Casualty Investigation Board and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Marine Casualty Investigation Board's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Marine Casualty Investigation Board to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

Statement of Income & Expenditure & Retained Revenue Reserves

For the Year Ended 31st December 2022

	Notes	YEAR ENDED 31 DEC 2022	YEAR ENDED 31 DEC 2021
		€	€
Income			
Oireachtas Grants (Vote 31, subhead C3)		370,575	318,404
		370,575	318,404
Expenditure			
Staff Salaries	4	132,190	136,480
Temporary Staff	4	22,398	7,828
Board Members Fees	5	24,617	20,948
Printing, Postage and Stationery		14,403	17,618
Website Design		1,722	1,775
Accident Investigation Expenses	3	63,061	82,373
Advertisement		2,162	2,074
Translation		2,815	1,522
Maps/Charts		1,107	823
Legal & Professional Fees		24,300	77,121
Consultative advice on the legislative process and related		62,662	3,690
Accountancy		5,233	8,342
Audit Fees		8,700	7,900
Bank Charges		381	318
Training		23,881	-
Sundry Expenses		136	1,391
		389,768	370,203
Surplus/(Deficit) for the Year		(19,193)	(51,799)
Accumulated Deficit 1 January		(107,518)	(55,719)
Accumulated Deficit 31 December		(126,711)	(107,518)

The Statement of Cash Flows and notes 1 to 10 form part of these Financial Statements.

Claire Callanan

Claire Callanan
Chairman
14 June 2023

Margaret Bell

Margaret Bell
Secretary
14 June 2023

Statement of Financial Position

As at 31st December 2022

	Notes	31 DEC 2022 €	31 DEC 2021 €
Current Assets			
Prepayments		492	492
Cash and cash equivalents		11,753	24,203
		12,245	24,695
Creditors – amounts falling due within one year			
Payables	2	(138,956)	(132,213)
Net Current (Liabilities)		(126,711)	(107,518)
Representing			
Accumulated Deficit brought forward		(107,518)	(55,719)
Surplus/(Deficit) for the period		(19,193)	(51,799)
Retained Revenue Reserves		(126,711)	(107,518)

The Statement of Cash Flows and notes 1 to 10 form part of these Financial Statements.



Claire Callanan
Chairman
14 June 2023



Margaret Bell
Secretary
14 June 2023

Statement of Cash Flows

As at 31st December 2022

	31 DEC 2022 €	31 DEC 2021 €
Cash flows from operating activities		
Cash (absorbed by) operations	(19,193)	(51,799)
Increase / (decrease) in receivables	-	914
Increase / (decrease) in payables	6,743	30,290
Net cash inflow/(outflow) from operating activities	(12,450)	(20,595)
Net cash used in investing activities	-	-
Net cash used in financing activities-	-	
Net increase/(decrease) in cash and cash equivalents	(12,450)	(20,595)
Cash and cash equivalents at beginning of year	24,203	44,798
Cash and cash equivalents at end of year	11,753	24,203

Notes to the Financial Statements

For the year ending 31st December 2022

Note 1. Accounting Policies

The basis of accounting and significant accounting policies adopted by the Marine Casualty Investigation Board are set out below. They have all been applied consistently throughout the year and for the preceding year.

a) General Information

The Marine Casualty Investigation Board was established under the Merchant Shipping (Investigation of Marine Casualties) Act, 2000. The Board commenced operations on 5 June 2002. It was formally established on 25 March 2003. The Board undertakes the independent investigation of marine casualties in Ireland and publishes the resulting reports.

b) Statement of Compliance

The financial statements of the Marine Casualty Investigation Board for the year ended 31 December 2022 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC).

The Board of the entity who held office at the date of approval of these Financial Statements is responsible for securing the entity's compliance with its relevant obligations and we confirm the entity's compliance with the Code of Practice for Governance of State Bodies (August) 2016.

c) Going concern

The financial statements are prepared on a going concern basis.

On 9 July 2020, the Court of Justice of the European Union (CJEU) ruled against Ireland in respect of one aspect of its implementation of Directive 2009/18/EC. Following legal analysis of that decision, two of the Board Members (the Chief Surveyor and the Secretary General's nominee) resigned from the Board in July 2020.

In that regard, in 2021, the Department of Transport (DoT) conducted a review of the current organisational structures underpinning marine casualty investigation in Ireland in the context of national, EU and international obligations. The key objective of the review was to assess the current organisational structures for marine casualty investigation in Ireland and set out in a report to the Minister for Transport any recommendations, including in relation to change, to achieve the most appropriate and effective marine casualty investigation structures for Ireland, taking into account national, EU and international obligations. One of the recommendations set out in the review was the establishment of a Marine Accident Investigation Unit (MAIU).

In December 2022 Government approved the drafting of a Merchant Shipping (Investigation of Marine Accidents) Bill, to provide for the establishment of the MAIU within the Department of Transport. The General Scheme provides for the establishment of the Marine Accident Investigation Unit (MAIU) within the Department of Transport. The MAIU will replace the Marine Casualty Investigation Board as the permanent body responsible for marine accident investigation. The main focus of the Bill is to provide the MAIU with the necessary framework to ensure it can operate independently in its organisation, legal structure and decision-making of any party whose interests could conflict with the task entrusted to it. The General Scheme also provides rule making power for the Minister for Transport to make the necessary secondary legislation for the regulation of offshore service vessels and industrial personnel.

Drafting of the Bill has commenced in conjunction with the Office of the Attorney General and the General Scheme has been sent to the Joint Oireachtas Committee on Transport and Communications for pre-legislative scrutiny. The MCIB will be dissolved once that Unit has been established.

d) Basis of preparation

The financial statements have been prepared under the historical cost convention, except for certain assets and liabilities that are measured at fair values as explained in the accounting policies below. The financial statements are in the form approved by the Minister for Transport with the concurrence of the Minister for Public Expenditure and Reform under the Merchant Shipping (Investigation of Marine Casualties) Act, 2000. The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the Marine Casualty Investigation Board's financial statements.

e) Period of Financial Statements

The financial statements cover the 12 month period to 31 December 2022.

f) Currency

The financial statements have been presented in Euro (€) which is also the functional currency of the board.

g) Oireachtas Grants

Income from Oireachtas Grants represent the cash and seconded staff salary costs received in the year from the Department of Transport and payments made in the year by the Department of Transport on behalf of the Marine Casualty Investigation Board's staff*.

h) Recognition of Costs of Investigations

Costs relating to ongoing investigations are accrued for at the year end, based on estimated costs per investigation. Investigators invoice the MCIB on completion of investigations and the publication of the report. Interim expenses and travel expenses are paid as they are incurred.

i) Superannuation

Department staff assigned to act as the Secretariat to MCIB are covered by the relevant Department's pension arrangements. Accordingly the Board has no liability for Pensions.

j) Cash and cash equivalents

Cash and cash equivalents include cash in hand, deposits held at call with banks, other short-term liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities.

Note 2. Creditors – amounts falling due within one year

	2022	2021
	€	€
Accruals	131,192	126,515
Payables	2,460	-
PSWT	5,304	5,698
Included in accrued expenses are amounts relating to:		
PAYE control account	-	7,212

Note 3. Accident Investigation Expenses

During year ended 31st December 2022, the Board completed 7 investigations and published reports on each investigation. The total cost of the investigations completed in 2022 was €63,061. 3 interim reports of ongoing investigations were published in 2022. As at 31st December 2022, 13 investigations were in progress and not finalised. The potential cost of this work is €94,750 and this has been included in the accrued expenses figure in note 2. Investigation costs are accrued in the year of occurrence of the incident.

Also included in investigation expenses are travel and subsistence costs incurred by investigators of €5,830 (2021: €5,040) - due to a decision taken by the Board in December 2020 that investigators will be reimbursed for agreed vouched T&S expenditure at Civil Service rates.

Note 4. Employees and Superannuation

Key management personnel

Key management personnel in MCIB consists of the members of the Board and the senior management team. The total value of employee benefits for key management personnel is set out at Note 5 to the Financial Statements.

A permanent Secretariat of three whole time staff was provided by the Department of Transport. Staff costs were recouped by the Department from the Board's grant allocation. The Board had 3 staff members assigned by DoT at the end of 2022 and 2 staff members assigned at the end of 2021.

During the year a temporary member was required and this individual fee of €22,398 was paid out of the funds available to the Marine Casualty Investigation Board.

The number of staff at each pay-band is detailed in the below table.

Short-term employee benefits** €	2022 No. of employees in band	2021 No. of employees in band
0 – 59,999	2	3
60,000 – 69,999	-	-
70,000 – 79,999	1	-
> 80,000	-	-

**Note: For the purposes of this disclosure, short term employee benefits in relation to services rendered during the reporting period include salary overtime allowances and other payments made on behalf of the employee but exclude employers PRSI

Note 5. Board Members

The Board meets on a regular basis to review its operation and held 11 ordinary meetings in 2022.

As at 31st December 2022 the Board had a total of 4 members.

The fees payable to the Chairperson and the Board members for 2022 were at rates sanctioned and approved by the Minister for Public Expenditure and Reform. The Chairperson and the Board members received a pro rata fee.

A schedule of 2021 Attendance and Fees is set out below:

Board member	Meetings Attended	2022 €	2021 €
Claire Callanan	11/11	8,978	8,978
Frank Cronin	11/11	5,985	5,985
Dorothea Dowling	11/11	5,985	5,985
Keith Patterson	5/5	2,993	-
Total Fees		23,941	20,948

Board members are paid an annual rate, on a one off basis, not per attendance at meetings. The amounts disclosed above reflect the gross amounts payable to members.

€676 of travel expenses were paid to members of the Board in 2022 in respect of attendance at the Board Meetings during 2022.

Note 6. Going concern

In the financial year ending 31 December 2022, the Board recorded an operating deficit of €19,193 and an accumulated deficit for 2002 – 2021 of €107,518. Funding has been received in 2022 and is expected to continue to be received to ensure that all liabilities can be met by the Board.

Note 7. Operating costs

The Department of Transport provides accommodation, including the use of fixed assets, to the Board free of charge in the Department's premises in Leeson Lane, Dublin 2.

The Board funds its own operating costs with the exception of the following services which are provided by the Department of Transport free of charge:

- IT & Telephone
- Postage, stationary & internal printing costs (excluding costs relating to investigations)
- Cleaning
- Other office expenses including light and heating.

Note 8. Taxation

In accordance with Section 227 of the Taxes Consolidation Act, 1997 no taxation was paid or has to be provided for in the financial statements..

Note 9. Board Members: Disclosure of Interests

All Board members have adopted procedures in accordance with Section 17 and 18 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

The Board conducts its business in a manner which is both impartial and is seen to be impartial in accordance with the MCIB Code of Business Conduct (see www.mcib.ie). The Code is intended to establish an agreed set of ethical principles for the conduct of the Board's business; promote and maintain confidence and trust in the Board; and prevent the development or acceptance of unethical practices in the Board. Board members advise the Secretary to the Board of potential conflicts of interest and will absent themselves from a Board meeting where a conflict of interest arises.

In complying with the requirements of the Ethics in Public Office Acts 1995 and 2001 – Annual Statements of Interests, each Board member furnishes to the Secretary on an annual basis, no later than the 31 January, a completed Statement of Interests form. Nil responses are also submitted.

Note 10. Approval of Financial Statements

The financial statements were approved by the Board on 14 June 2023.



Leeson Lane, Dublin 2. Telephone: 01-678 3485. Fax: 01-678 3493. www.mcib.ie