

**MCIB**

Marine Casualty Investigation Board  
*Bord Imscrúú Taismí Muirí*



**REPORT INTO A  
FATAL INCIDENT  
INVOLVING A KAYAKER  
ON THE ROUGHTY RIVER,  
KILGARVAN,  
CO KERRY  
4th NOVEMBER 2018**

**REPORT NO. MCIB/283  
(No.7 OF 2019)**

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

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

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

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

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



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## Glossary of Abbreviations and Acronyms

<b>CGU</b>	Coast Guard Unit
<b>MRCC</b>	Marine Rescue Coordination Centre
<b>PFD</b>	Personal Flotation Device
<b>Put-in</b>	Point on river where kayaks are launched
<b>Take-out</b>	Point on river where kayaks are taken out of water
<b>Drop</b>	Change in level of river downwards, usually over a waterfall between boulders and rocks
<b>PLB</b>	Personal Locator Beacon
<b>VHF</b>	Very High Frequency
<b>CoP</b>	Code of Practice
<b>LOA</b>	Length Overall (LOA)

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## 1. SUMMARY

On the morning of the 4th November 2018 a party of five experienced kayakers set out on a downriver run of the Roughty River, Co Kerry. The kayakers were aware of a log obstructing the river about 2.5 km downriver and planned to take-out just before the drop where the log was located by turning into a side channel. The first three kayakers turned in and beached their kayaks and waited for the remaining two to arrive. As the fourth kayaker approached the side channel the kayak capsized and the kayaker went into the water. One of the first three kayakers attempted to hold the kayak and catch the person in the water, however, the person went over the drop and was caught under the log.

The fifth kayaker arrived and beached his boat and the four kayakers attempted to pull the person free from the log but could not do so. At this point the Casualty's head was underwater. One person went to the road and borrowed a mobile phone to call the emergency services. When the emergency services arrived efforts were made to move the log and after about an hour and a half the log was removed and the Casualty released and carried ashore. Once ashore the Casualty was attended to by a doctor from the ambulance service and pronounced dead.

Note all times are local time.

## **2. FACTUAL INFORMATION**

### **2.1 The Vessel**

Type:	MAMBA 7.6 Kayak.
Builder:	Dagger.
Length Overall (LOA):	2.31 meters (m)/7'07".
Breadth:	0.65 m/25.5".
Weight:	19 kilograms (Kg)/43 Lbs.
Volume:	242 litres (L)/64 gal.
Construction:	Roto-Moulded/Polyethylene.

The vessel was a 7.6 ft. kayak with spray deck designed for river descents. (see Appendix 7.1 Photograph No. 1).

### **2.2 Kayak Party**

Kayaker 1 - male, experienced kayaker level 3.

Kayaker 2 - male, experienced kayaker level 3 instructor.

Kayaker 3 - male, experienced kayaker level 4.

Kayaker 4 (Casualty) female, experienced kayaker level 4.

Kayaker 5 - male, experienced kayaker level 4.

All members of the group had attended river rescue courses (see Appendix 7.4 Outline of Skills Awards from Canoeing Ireland).

### **2.3 Code of Practice**

The vessel was a recreational craft.

Code of Practice for the Safe Operation of Recreational Craft (CoP for Recreational Craft).

### **2.4 Safety Equipment**

Personal Flotation Device (PFD) buoyancy vests rated at 55 newtons.

Approved helmets.

## 2.5 Voyage Particulars

River decent of approximately 2.5 km (see Appendix 7.2 Location Diagrams).

## 2.6 Marine Incident Information

Type: Very serious marine casualty resulting in one fatality.

Date: 4th November 2018.

Time: 11.48 hrs.

Position: Lat 51° 54.3' N - Long 009° 24.5 W.

Roughly River, Co Kerry, 2 km upriver from Kilgarvan.

Air Temperature: 10.2°C.

Boat Operation: River kayaking.

Equipment Factor: Vessel capsize.

Location factor: Obstruction in river.

Consequences: Fatality.

## 2.7 Shore Authority Involvement and Emergency Response

11.48 Casualty trapped under log in river (estimated time).

12.25 Call made to ambulance service who tasked Coast Guard, mountain rescue and fire services - delay due to no mobile phone at incident site. A member of the team walked to the road to obtain a phone.

12.26 Coast Guard tasked Helicopter R117 and Coast Guard Units (CGU) to scene.

12.30 Kenmare Fire Brigade tasked.

12.43 Kenmare Fire Brigade on scene.

12.50 Gardai on scene.

13.02 Ambulance, mountain rescue and CGU on scene.

13.13 R117 stood down.

13.42 Request made for divers.



- 13.51 Request for divers cancelled.
- 13.55 Casualty retrieved from river.
- 14.10 Casualty pronounced dead by doctor with ambulance service.

## 3. NARRATIVE

- 3.1 The Roughty River is a popular decent for kayakers. It is described as a class 3-4 white-water river suitable for mixed ability groups<sup>1</sup>. On the day of the incident the water level was low but runnable class 3 and the kayakers were touching bottom on occasions. The kayakers were familiar with the river and knew that there was a log obstructing at a drop about 2.5 km downriver. The plan was to take-out into a side channel just before the obstructed drop (see Appendix 7.2 Location Diagrams).
- 3.2 The group arrived at the put-in just downriver from Morley's Bridge at about 10.15 hrs and two of the cars were parked close to the take-out point about 2.5 km downriver. The Casualty had a mobile phone in a waterproof case in a pocket of her buoyancy vest. Past experience on this river found mobile phone coverage was poor.
- 3.3 The kayakers were all experienced white-water kayakers and had kayak level 3 qualifications or greater from the Canoeing Ireland Training Scheme. All the kayakers had done both river rescue courses.
- 3.4 The party set out at approximately 10.30 hrs and proceeded downriver. The lead two kayakers stopped at the drops and inspected the river for obstructions over the drops.
- 3.5 At about 11.45 hrs the first kayaker arrived at the take-out point and turned his kayak into the side channel and beached it. He then went into the river at the turn-in to help the rest of the party into the side channel. The water was shallow and came up to mid-calf level. Kayakers No. 2 and No. 3 followed quickly after and were beaching their boats when kayaker No. 4 approached. Kayaker No. 4 had started to turn into the side channel and was diagonally across the current when the boat contacted an underwater rock which capsized it in an upstream direction. Kayaker No. 1 caught hold of the bow and pulled it in and started to turn it upright. Kayaker No. 4 slipped out and kayaker No. 1 saw her head pop up at the other side of the boat. When kayaker No. 1 righted the boat kayaker No. 4 was at the stern in the water. She was unable to grab on the handles on the kayak and/or get on to her feet. She was washed quickly downriver over the drop obstructed by a large log and was trapped by the water flow under the log. The distance between the point of capsize and the drop was between 5 and 6 meters (see Appendix 7.1 Photographs No. 2 and No. 3).
- 3.6 By this time kayaker No. 5 had arrived and beached his kayak and all four kayakers attempted to pull the Casualty free. The water flow was pushing her down and they tied ropes to her to try and keep her head above water. They tried to move the log but were unable to do so.

1. [www.irishwhitewater.com](http://www.irishwhitewater.com)

- 3.7 After about 20 minutes one of the party went up to the road about 200 meters away where they obtained a phone from a passer-by. They phoned the ambulance service who tasked the fire service, Coast Guard, the mountain rescue and An Gardaí Síochána. This call was timed at 12.25 hrs.
- 3.8 The Kenmare Fire Brigade were first on the scene at 12.43 hrs followed by An Gardaí Síochána at 12.50 hrs and other services a short time later. The rescue efforts were concentrated in trying to move the log. The Casualty was face down under the log and it was not possible to get her head above water.
- 3.9 At 13.42 hrs sub-aqua divers were requested but at 13.51 hrs the log was lifted free and the divers were cancelled. Once the log was removed it was discovered that the Casualty was held down by another branch under the log. Her buoyancy vest was cut away and she was released from the river at 13.55 hrs.
- 3.10 The Casualty was brought ashore and pronounced dead by the doctor attending with the ambulance service. A subsequent post mortem concluded death was caused by acute cardio-respiratory failure due to drowning.
- 3.11 A subsequent inspection of the kayak and buoyancy jacket found them to be serviceable and suitable for the activity on the day.
- 3.12 The riverbed at the drop is rock with potholes worn by pebbles. The two logs were stuck in one of these potholes (see Appendix 7.1 Photograph No. 4).

## 4. ANALYSIS

- 4.1 White-water kayaking is an activity which has risks. The risks can be mitigated by four factors:
- Training
  - Experience
  - Procedures
  - Equipment
- 4.2 Canoeing Ireland provide a comprehensive training scheme from beginners to advanced levels and instructor levels. They also run river rescue courses<sup>2</sup>. Four of the kayakers had completed level 4 kayak skills training. The fifth had level 3 but had been kayaking level 4 rivers for about 10 years. One was a level 3 instructor and all had completed river rescue courses. The general guide is that kayakers navigate rivers one grade below their skill level unless under higher level training in a mixed group.
- 4.3 The Department of Transport, Tourism and Sport has published a CoP for Recreational Craft. Chapter 7 of this Code sets out the recommendations for canoeing /kayaking (see Appendix 7.5 Recommended Equipment in CoP for the Safe Operation of Recreational Craft Chapter 7).
- 4.4 All the kayakers were experienced having kayaked on rivers in Ireland and abroad. Downriver kayaking in Ireland is dependent on rainfall filling the rivers. Peak times are in autumn, winter and spring when there is water in the rivers.
- 4.5 The group proceeded down the river with the lead kayaker stopping to check the condition of the river ahead at the drops. Everyone knew of the obstruction caused by the log and the plan to take-out before that drop. The level of water in the river was not high and the kayaks touched rocks on the bottom occasionally.
- 4.6 At the take-out point the plan was to go right into a shallow side channel and beach the kayaks. For experienced kayakers turning across the current into the side channel was not difficult.
- 4.7 The incident occurred because the Casualty's kayak touched a rock and capsized as she was turning across the current. Capsizing is a fairly normal occurrence and the trained and experienced kayaker can push themselves upright with their paddle. In this instance the kayak was in shallow water. The Casualty probably exited the boat unintentionally and was unable to hold on to the boat or get to her feet. She went out into the main flow of water and did not gain a foothold on the river bed and was washed downstream over the drop into the log obstruction. Had the log not caught the Casualty and the water flow around it pushed her down she would have arrived safely at the pool below the drop.

2. [www.canoe.ie](http://www.canoe.ie)

- 
- 4.8 The log was stuck in a pothole in the rock of the river bed. There was also a second more dangerous log with branches underneath the visible log and it was this one which trapped the Casualty.
  - 4.9 The Casualty had a phone and all the other mobile phones were in the cars which resulted in a delay of about 37 minutes in calling the emergency services. In the event it took just over an hour to free the Casualty from the river after the emergency services had arrived during which time the Casualty's head had been underwater.
  - 4.10 The river was remote and the means of communication available to the group was based on a mobile phone carried by the Casualty. The CoP for Recreational Craft recommends that kayaking groups making descents on remote rivers of Grade 3 and higher should carry registered Personal Locator Beacons (PLBs). This will enable early alerting of the rescue services in the event of an emergency.
  - 4.11 The emergency services responded quickly when alerted but were hampered by the location of the Casualty. In such situations the safety of the rescuers is paramount.

## 5. CONCLUSIONS

- 5.1 The group were all adequately trained and experienced.
- 5.2 Capsizing a kayak is a risk and righting procedures are part of the training schemes.
- 5.3 The lack of a mobile phone at the scene of the incident resulted in a 37 minute delay in calling the emergency services.
- 5.4 The group were aware of a log obstruction and had planned to exit the river before this obstruction. The fatality was due to the Casualty being trapped by a second log underneath the visible log. However, they had planned to exit the river before its location.
- 5.5 Not all of the requirements of Chapter 7 of the CoP for Recreational Craft were adhered to, including:
  - Shore based rescue/recovery personnel were not in attendance and there was no rapid recovery available as per the CoP for Reactional Craft.
  - A mobile phone or Very High Frequency (VHF) radio in a suitable watertight cover was not readily available.
- 5.6 Kayaking groups making descents on remote rivers of Grade 3 and higher should carry registered PLBs. This will enable early alerting of the rescue services in the event of an emergency.

## 6. SAFETY RECOMMENDATIONS

- 6.1 The requirements set out in Chapter 7 of the CoP for Recreational Craft for canoeing/kayaking should be highlighted by means of a Marine Notice.

## 7. APPENDICES

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Appendix 7.1 Photographs



Photograph No. 1: The kayak.

Appendix 7.1 Photographs



Photograph No. 2: Relative positions at point of capsize.



Photograph No. 3: The location of the incident.



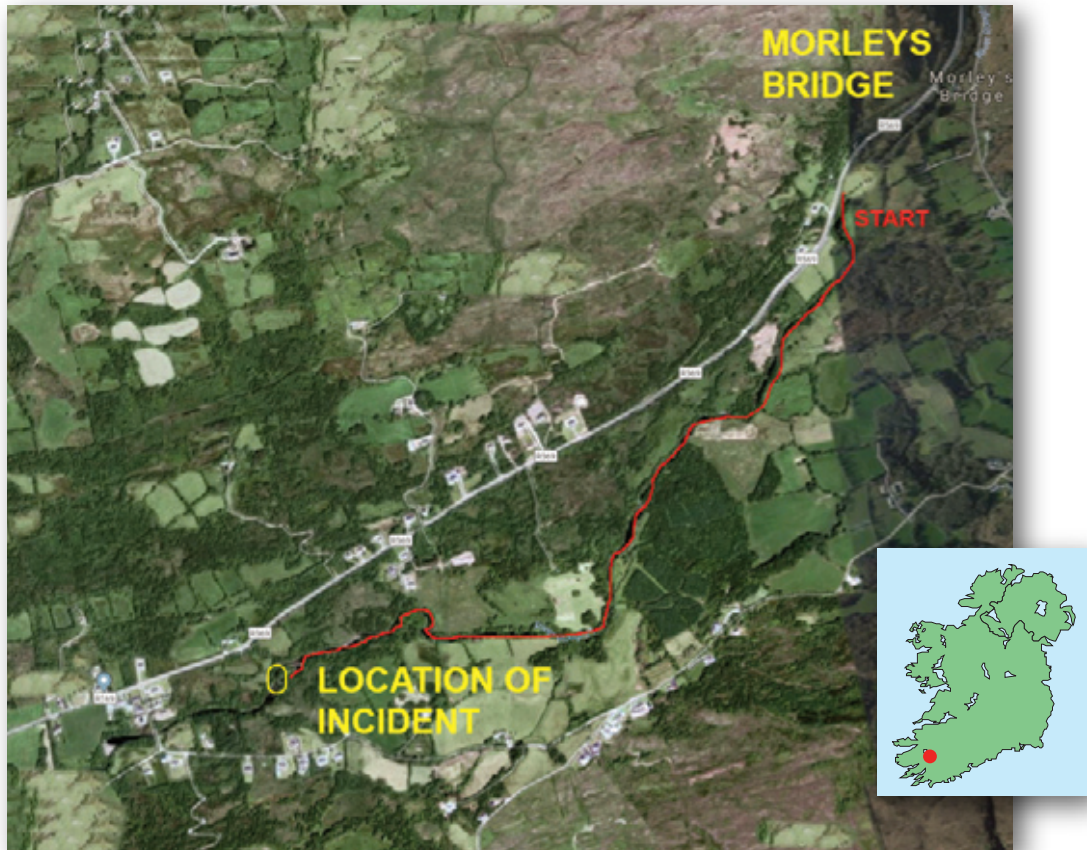
Appendix 7.1 Photographs



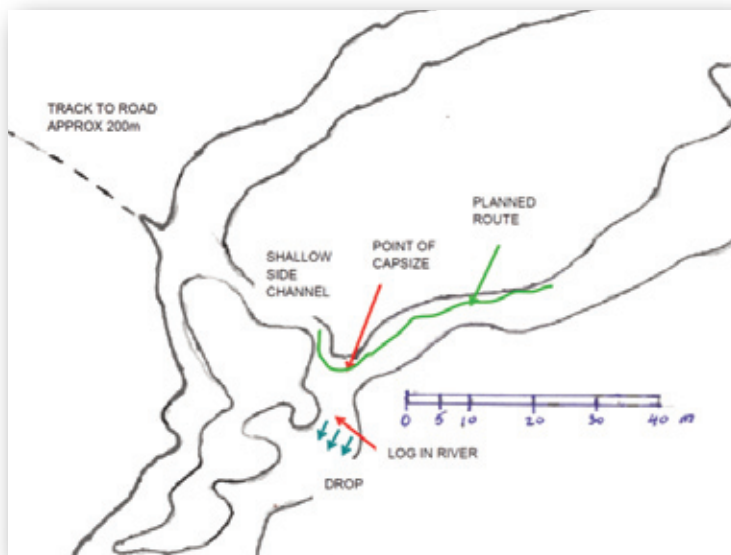
Photograph No. 4: Pothole erosion of rocks - much larger in river bed.

# APPENDIX 7.2

## Appendix 7.2 Location Diagrams



Track of kayakers down Roughy River.



Plan of incident site.

Appendix 7.3 Met Éireann Weather Report



**Met Éireann**

**The Irish Meteorological Service**

Climate Services  
Glasnevin Hill  
Dublin 9

Seirbhísi Aeráide  
Cnoc Ghlas Naíon  
Baile Átha Cliath 9

Tel: +353-1-8064260  
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**Our Ref.** WS1730/1902\_1  
**Your Ref.** MCIB/12/283

**General Synopsis:** On Saturday 3<sup>rd</sup> November 2019 (the day leading up to the day of the accident) there had been periods of heavy rain as well as strong winds due to an Atlantic depression (remnants of tropical storm Oscar). This depression had filled to 975 hPa on Sunday 4<sup>th</sup> and was situated north of Scotland and moved away northwards during the day. The airflow over Ireland slackened on the 4<sup>th</sup> from a moderate southerly to light and variable. This was due to the influence of a weak low pressure system in the Bay of Biscay which steered a warm front with rain northwards over the country; this rain bearing front reached the Kilgarvan area in the afternoon.

**Estimate of weather conditions in the Kilgarvan area Co Kerry on Sunday 4<sup>th</sup> November 2018 between 06:00 and 18:00 hours. (incident location 51° 54.49N 009° 24.76W)**

**Weather:** Between 6am and 10am it was dry with some sunny spells at first but cloud-cover gradually increased. By 10am it was overcast and mostly dry for the remainder of the morning with occasional outbreaks of drizzle and light rain. In the afternoon the rain turned persistent with moderate falls from 2pm onwards. The total 24-hour accumulated rainfall amount is estimated to have been between 5 and 7 mm.

**Temperature:** The mean air temperature ranged from a minimum of 6 or 7 degrees Celsius during the early hours of the morning to an afternoon maximum of 11 or 12 degrees Celsius in the afternoon.

**Wind:** Moderate breeze (mean speed of 10 – 15 knots) from south-southeasterly direction gradually decreased light (mean speed less than 10 knots) in the afternoon from variable or easterly direction.

**Visibility:** Visibility was good for most of the day (more than 10 km) but was occasionally moderate (between 5 and 10 km) in rain in the afternoon.



## Appendix 7.4 Outline of Skills Awards from Canoeing Ireland

### SKILLS AWARDS

Generic Skills Awards

Level 1 Skills

Level 2 Kayak Skills

River Kayak Skills Awards

Level 3 Kayak Skills

Level 4 Kayak Skills

Level 5 Kayak Skills

<b>Grade I: Flat Water</b>	Water is stationary or extremely slow moving and without any obstructions.
<b>Grade II: Moderately Difficult</b>	The way down a river is clear but simple obstructions do exist. Small stoppers and small drops can be present. There are places where the flow accelerates. There is a choice of routes.
<b>Grade III: Difficult</b>	There is a route that is easily recognisable from the water. Waves can be irregular. Boulders and obstructions can be numerous. Stoppers and small eddies exist. Inspection is advisable.
<b>Grade IV: Very Difficult</b>	The route is not always clear and inspection is advisable. Rapids are continuous and breakouts are few and small. Stoppers are powerful. Continual manoeuvring with precise control and good decision making is required.
<b>Grade V: Extremely Difficult</b>	Inspection is essential because serious dangers can exist. Large drops, narrow passages, very complex boulder fields, ever changing water and difficult holes are characteristic of this grade. Difficulties are continuous.

### Summary of Instructor Qualifications

Kayaking	Level 1 Kayak Instructor	Qualified to lead and teach groups of kayakers on flat water within close proximity of their launch point.	Can train & assess for the Level 1 Skills Awards.
	Level 2 Kayak Instructor	Qualified to lead and teach on flat water journeys on inland and sheltered waters that remain close to bank/shore.	Can train & assess for the Level 1 & 2 Skills Awards.
	Level 3 River Kayak Instructor	Qualified to lead and teach groups on Grade II rivers.	Can train & assess for Level 1 – 3 River Skills Awards.
	Level 4 River Kayak Instructor	Qualified to lead and teach groups on Grade IV and advanced white water.	Can train & assess for Level 1 – 4 River Skills Awards.

## Appendix 7.5 Recommended Equipment in CoP for the Safe Operation of Recreational Craft Chapter 7

### Code of Practice for Safe Operation of Recreational Craft

#### Chapter 7 Canoeing/Kayaking

Canoeing covers a wide and diverse range of disciplines including sea kayaking, white water kayaking, surf kayaking, polo, slalom, marathon, sprint, freestyle and touring. A canoe is a lightweight narrow boat, typically pointed at both ends and open on top, propelled by one or more seated or kneeling paddlers facing the direction of travel using a single-bladed paddle. A kayak is a small, narrow boat which is propelled by means of a double-bladed paddle. In this Code of Practice, the term canoe when used also refers to a kayak. There are a number of basic safety precautions that should be applied to any canoeing activity, regardless of its speciality.

#### 7.1 Training

Undertake a recognised training course in the correct use of the specific type of canoe you wish to use. Be completely familiar with relevant rescue/recovery drills, self-righting techniques, e.g. Eskimo roll, etc. Practice such drills with fellow members of your group. Canoeing Ireland have a comprehensive training and accreditation scheme, which covers river, sea kayaking and open canoes (see Appendix 9 for details of course providers).

#### 7.2 Prior to entering the water

- Ensure you are a competent swimmer and capable of surviving in the water in the areas you operate in.
- Undertake a First Aid course and a life-saving course.
- Never operate alone, always canoe in company.
- Do not operate a canoe if under the influence of alcohol or drugs.
- Inspect your craft and equipment thoroughly. Check it is fitted with adequate buoyancy material and that such buoyancy is correctly distributed and secured within the hull.
- Ensure that the bung is fitted correctly.
- Do not use the canoe unless you are certain it is watertight. Boats with temporary repairs should not be used.
- If carrying additional equipment, ensure that the canoe is never overloaded.
- Use a spray deck, with quick release where relevant, and be completely familiar with its use.
- When using a spray deck, ensure that the grab loop is in good condition and is within reach.
- Always ensure that your name/contact address are permanently marked on the hull. The addition of strips of retroreflective tape to the hull is recommended.
- Check the hull is fitted with grab loops/towing lines. Kayaks over 270 cm in length should have decklines fitted fore and aft. Kayaks less than 270 cm in length should have cowtails fitted.
- Ensure that a responsible person is aware of your intended departure, locations and return details.
- Ensure that you carry a mobile phone or Marine VHF radio in a suitable watertight cover for use to summon assistance in emergency situations.
- Open canoes are not suitable for the sea.
- All kayaks should have suitable footrests.

### Appendix 7.5 Recommended Equipment in CoP for the Safe Operation of Recreational Craft Chapter 7

#### 7.3 Personal Safety Equipment

- PFD/lifejacket
- The PFD should be fitted with a whistle to attract attention, be in a Hi-Visibility colour and fitted with retro-reflective strips.
- Ensure you are suitably attired for the type of activity, area of operation and time of the year.
- Be aware of the dangers of hypothermia when wet and exposed to the elements.
- If paddling where the risk of head injury exists, a suitable helmet should always be worn.
- When making descents on remote rivers of Grade 3 and higher, and while sea-kayaking, you should carry a registered Personal Locator Beacon (PLB). This will enable early alerting of the rescue services in the event of an emergency.

#### 7.4 Sea Kayaking

Sea kayakers should observe the following additional precautions.

- Be aware of the weather forecast and sea area forecast. Only operate within your limits and ability. Canoeing in a windforce 4 or above should only be considered for the very experienced.
- Be aware of the tidal conditions for the areas that you are operating in.
- Be aware of the effects of interaction between wind and tide on sea states.
- Carry a chart for the area of operation. These can be laminated and attached to the kayak deck.
- Carry a hand held compass.
- Ensure a nominated person ashore is aware of your itinerary, departure and return times.
- Have a passage plan and alternative emergency plans, e.g. safe landing area down wind, etc.
- Do not operate alone – kayak in company.
- If capsized and floating outside your craft, remain with it. It offers a better target to rescuers and has a high buoyancy factor. Do not attempt to swim for shore unless adjacent to the shore.

The following additional equipment should be considered.

- Flares
- Towrope/throw bag
- Torch
- Suitable knife
- Portable waterproof VHF radio
- Portable GPS unit
- Personal EPIRB



## Appendix 7.5 Recommended Equipment in CoP for the Safe Operation of Recreational Craft Chapter 7

- First Aid Kit
- Spare food/drink
- Paddle float/leash
- Sun cream and sun hat.

Essential equipment should be carried on the person or in an easily recoverable buoyant grab bag.

### 7.5 River Kayaking/Canoeing

River kayaking ranges from touring on slow moving Grade 1 water in either open canoes or recreational kayaks, to the more extreme white water river running, which can include whitewater rapids, waterfalls and features such as stoppers and undercuts. Freestyle kayaking is at the more extreme end of the canoeing spectrum. Trained and competent persons only should attempt this activity.

**In addition to the basic safety precautions mentioned previously, operators should observe the following additional checks and advice.**

- Hulls are examined for damage each time prior to entering the water;
- Potential courses should be studied for hidden dangers, snags, currents, etc., prior to putting boats in the water;
- Boats should never operate alone on a stretch of water;
- In extreme and difficult locations, shore based rescue/recovery personnel should be in attendance, trained and equipped in the rapid recovery of persons in distress;
- Contact numbers for medical assistance/rescue authorities/lockkeepers should be available on site;
- Kayaks should have adequate buoyancy;
- Get First Aid training and carry a First Aid Kit on river trips;
- If carrying a throwbag, also carry a knife;
- Depending on the difficulty of the river, consider carrying some of the following.
  - Split paddles;
  - Webbing slings and carabiners;
  - Duct tape;
  - Dry clothes;
  - Group shelter;
  - Food and money;
  - Matches/lighter.
- Be aware of the river's grading and of the water level before committing. The different grades are listed in the Table on the following page.

## Appendix 7.5 Recommended Equipment in CoP for the Safe Operation of Recreational Craft Chapter 7

<b>Grade I: Flat Water</b>	Water is stationary or extremely slow moving and without any obstructions.
<b>Grade II: Moderately Difficult</b>	The way down a river is clear but simple obstructions do exist. Small stoppers and small drops can be present. There are places where the flow accelerates. There is a choice of routes.
<b>Grade III: Difficult</b>	There is a route that is easily recognisable from the water. Waves can be irregular. Boulders and obstructions can be numerous. Stoppers and small eddies exist. Inspection is advisable.
<b>Grade IV: Very Difficult</b>	The route is not always clear and inspection is advisable. Rapids are continuous and breakouts are few and small. Stoppers are powerful. Continual manoeuvring with precise control and good decision making is required.
<b>Grade V: Extremely Difficult</b>	Inspection is essential because serious dangers can exist. Large drops, narrow passages, very complex boulder fields, ever changing water and difficult holes are characteristic of this grade. Difficulties are continuous.

The Canoeing Ireland website has more detail on the levels of river grading (<http://canoe.ie/rivergrading-and-area-definitions>).

- Be particularly cautious during flood water conditions.
- Inspect unknown drops before running them; be aware that drops may change or that new hazards may have formed (e.g. fallen trees, etc.). Set up bank based rescue, where appropriate.
- Consult Waterways Ireland Marine Notices and lockkeepers for local information.
- Kayaking groups making descents on remote rivers of Grade 3 and higher should carry registered Personal Locator Beacons (PLBs). This will enable early alerting of the rescue services in the event of an emergency.
- In rivers of a high flow rate, with extended periods of rapids, it is recommended that kayaking groups should consider using waterproof radios to allow communication between group members when line of sight is not possible.

### 7.6 National Association

Canoeing Ireland is the national association for canoe and kayak based activities in Ireland.

## NATURAL JUSTICE - CORRESPONDENCE RECEIVED

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

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

The Board reviews and considers all observations received whether published or not published in the final report. When the Board considers an observation requires amendments to the report that is stated beside the relevant observation. When the Board is satisfied that the report has adequately addressed the issue in the observation, then the observation is 'Noted' without comment or amendment. The Board may make further amendments or observations in light of the responses from the Natural Justice process.

'Noted' does not mean that the Board either agrees or disagrees with the observation.

## 8. NATURAL JUSTICE - CORRESPONDENCE RECEIVED

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

Correspondence 8.1 Kayaker and MCIB response

[Redacted]

22/06/2019.

MCIB Reference: MCIB/12/283.

[Redacted]

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

A Cara,

I wish to confirm that I have received the Draft Report (MCIB Reference: MCIB/12/283) into the fatal incident involving a Kayaker on the River Roughty, Kilgarvan, Co Kerry on 4<sup>th</sup> November 2018.

[Redacted]

MCIB RESPONSE: Noted.



## CORRESPONDENCE 8.2

### Correspondence 8.2 Mountain Rescue Ireland and MCIB response

Mountain Rescue Ireland  
Head Office  
Irish Sport HQ  
National Sports Campus  
Blanchardstown  
Dublin 15, Ireland

e: info@mountainrescue.ie

mountainrescue.ie



16 June 2019

██████████  
Marine Casualty Investigation Board,  
Leeson Lane,  
Dublin 2

Dear ██████████

**Draft report into fatal incident involving Kayaker on the River  
Roughy, Kilgarvan, Co Kerry, 04 November 2018**

Thank you for supplying a draft copy of the referenced report for  
Mountain Rescue Ireland to comment upon.

I have consulted with Kerry Mountain Rescue Team, the attending  
mountain rescue team.

We have no comments nor observations to make on the report.

Yours sincerely,

████████████████████  
████████████████████  
████████████████████

MRI's mission is to protect and support its members and their teams and volunteers as they save lives in mountainous areas.

The objects of MRI are as follows:

- a) To benefit the community by assessing and keeping under review the need for, and the requirements of, mountain rescue services in Ireland;
- b) To encourage and assist in the formation, training, and development of mountain rescue teams;
- c) To represent and liaise with community and state services with regard to the achievement of its objectives;
- d) To propagate information on mountain rescue and safety and take such action as is necessary to promote a wider appreciation of the need for mountain safety

MCIB RESPONSE: Noted.



Mountain Rescue Ireland Limited.  
Companies Registration Office: 613336. Charity Registration No.: CHY 22253. Charities Regulator No.: 20202673  
Registered in Dublin, Ireland. Registered Office - Head Office, Irish Sport HQ, National Sports Campus, Blanchardstown, Dublin 15, Ireland  
Directors: Jonathan Shields, Ray Bradfield, Jerome Hopkins, Niall Greene, Jane Carney

Correspondence 8.3 Kerry County Council and MCIB response

Roinn na Seirbhísí Dóiteáin  
Stáir Dóiteáin,  
Balúnach,  
Trá Lí, Co. Chiarraí.



COMHAIRLE CONTAE CHIARRAÍ  
KERRY COUNTY COUNCIL

Fire Services Department  
Fire Station,  
Balloonagh,  
Tralee, Co. Kerry.

Guthán | Tel 066 7123111 Facs | Fax 066 7129433 Rphost | Email fireoff@kerrycoco.ie Suíomh | Web www.kerrycoco.ie

31 May 2019

[REDACTED]  
Secretariat, Marine Casualty Investigation Board  
Leeson Lane  
Dublin 2

Dear [REDACTED]

I refer to your correspondence of 28<sup>th</sup> May 2019 Reference No.: MCIB/12/283. I wish to advise that Kerry Fire Authority has no comments or observations on these matters.

Thanking you,

Yours sincerely,  
[REDACTED]

MCIB RESPONSE: Noted.



04 JUN 2019  
Bord Imscrúdú Tasáirí Muir



GAEILGE AGUS FÁILTE

## CORRESPONDENCE 8.4

### Correspondence 8.4 Irish Coast Guard and MCIB response



MCIB Reference: MCIB/12/283

Tuesday, July 23, 2019

Chairman,  
Marine Casualty Investigation Board,  
Leeson Lane,  
Dublin 2.

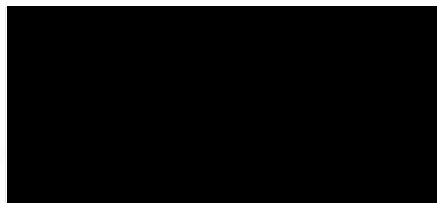
**Re: Draft Report "Fatal Incident involving Kayaker on the River Roughty, Kilgarven,  
Co. Kerry" 4<sup>th</sup> November 2018.**

Dear [REDACTED]

Further to your letter of 28<sup>th</sup> of May 2019, I wish to advise that the Irish Coast Guard has no observations on the report.

MCIB RESPONSE: Noted.

Yours sincerely



Príomh Oifig  
Garda Cústa na Éireann, An Roinn Iompair, Turasóireachta agus Spóirt,  
Lána Chill Mochargán, Baile Átha Cliath 2, Éire  
Head Office  
Irish Coast Guard, Department of Transport, Tourism and Sport,  
Leeson Lane, Dublin 2, Ireland

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