

Investigation Report No. 138/22

Date: 1 June 2023

Serious marine casualty

Person Over Board Resulting in Fatality on Board the Sailing Yacht SPEEDY GO on the Flensburg Firth on 8 April 2022

1 Summary

The skipper of the commercially used sailing yacht SPEEDY GO, 13.50 m in length, fell overboard and drowned at 1219 (CEST) on 8 April 2022 after an unsuccessful sailing manoeuvre. The casualty went to the foreship because the headsail's sheets had become entangled there during a gybe. After clearing the lines, he straightened up simultaneously with the wind blowing into the sail as well as the yacht heeling and picking up speed. The skipper fell backwards over the guardrail into the water. The fellow sailors did not manage to get the casualty back on board the yacht, even though he was at the stern shortly after. One of the co-sailors went into the water to help, lost contact with the yacht and was rescued suffering from hypothermia by the other sailors. A rescue helicopter recovered the skipper but all attempts at resuscitation were unsuccessful.

The cause of the skipper falling overboard was a lack of self-protection against falling overboard with a lifeline when he went onto the foreship in conjunction with adopting an unsafe position on the yacht's leeward side. The main reason for the skipper drowning was the fact that he was not wearing a lifejacket. Several other aspects were identified as contributing factors to the accident.

Potential for improvement was noted with regard to the vessel operator's safety and quality management, sailing trip preparation and (safety) familiarisation, crew management, safe conduct on deck, vessel equipment, emergency management and the content of the examinations for commercial recreational boating. Safety recommendations were addressed to the Federal Ministry for Digital and Transport, the German Maritime Search and Rescue Service, as well as the vessel operator and the shipyard of the SPEEDY GO.

2 Safety Recommendations

The following safety recommendations do not constitute a presumption of blame or liability in respect of type, number or sequence.

2.1 Federal Ministry for Digital and Transport

The Federal Bureau of Maritime Casualty Investigation recommends that the Federal Ministry for Digital and Transport

- .1 revise the guidelines for executing the tasks under Section 2 SportSeeSchiffV with regard to the content and execution of the SKS and SSS examinations (see Chapter 5.6) in cooperation with the German Sailing Association and the German Motor Yachting Association.
- .2 stipulate that means of reboarding conforming to DIN EN ISO 15085:2018 and required under Directive 2013/53/EU must form a mandatory part of the safety equipment on yachts used commercially for training or similar sport and leisure purposes, and that arrangements be made for them to be inspected during surveys.¹
- .3 to make it mandatory for yachts used commercially for training or similar sport and leisure purposes that a practicable procedure for recovering/rescuing (helpless) people from the water must be implemented for the respective vessel and make arrangements for this to be inspected during surveys.¹

2.2 Federal Ministry for Digital and Transport and the German Maritime Search and Rescue Service

The Federal Bureau of Maritime Casualty Investigation recommends that the Federal Ministry for Digital and Transport and the German Maritime Search and Rescue Service

- .1 coordinate the content of their publications (pamphlets, website, etc.) and revise it if necessary so as to avoid different information and, in each case, refer to the information and advice in the other's publication so as to increase the reach and raise awareness of the issue of safety among as many addressees as possible.
- .2 in addition to Safety Recommendation 7.2.1 in the BSU's Investigation Report 276/21 on the foundering of the SILJA, develop a uniform and comprehensive checklist for the safety familiarisation for people on board before the start of a sailing trip (by way of example, see Table 2) and make it available to water sports enthusiasts by appropriate means.²

¹ In a statement of 30.03.2023 within the framework of the consultation phase pursuant to § 27 SUG, the BMDV stated that the topics mentioned in safety recommendations 7.1.2 and 7.1.3 had already been taken up and that corresponding draft ordinances were currently being prepared.

² See also Safety Recommendation 7.2.1 in BSU Investigation Report 276/21 – Foundering of the sailing boat SILJA and death of a crew member in the Accumer Ee tidal inlet on 26 August 2021.

2.3 Vessel operator

The Federal Bureau of Maritime Casualty Investigation recommends that the vessel operator of the SPEEDY GO, Jochen Schoenicke SKIPPERTEAM Ges.m.b.H.,

- .1 revise its safety management system to address safety deficiencies, in particular with regard to
 - .1 the crew familiarisation and safety instruction checklist (see Chapters 5.3.1 and 5.5.3, as well as Table 2);
 - .2 the implementation of the control and protection measures from the risk assessment and the drafting of important requirements as well as the regular refresher training for courses offered to skippers (see Chapter 4.3.2.1).
- .2 if at all necessary, additionally fasten lifesaving equipment only with suitable cords or rubber expanders in order to ensure rapid readiness for use.
- .3 monitor the implementation of safety and procedural requirements by skippers, including in the context of quality management (e.g. by means of an automated feedback tool for co-sailors).
- .4 regularly instruct its skippers to follow the following principles of good seamanship:
 1. consistent use of lifelines and safe movement on deck;
 2. consistent wearing of lifejackets;
 3. comprehensive (safety) familiarisation before the start of a sailing trip;
 4. assignment of emergency roles before the start of a sailing trip;
 5. execution of practice manoeuvres at the start of a sailing trip;
 6. wearing of appropriate sailing clothes;
 7. implementation of the principles of crew management;
 8. correct behaviour after a fall into cold water.

2.4 Shipyard

The Federal Bureau of Maritime Casualty Investigation recommends that the SPEEDY GO's shipyard, AD-BOATS Ltd. (Salona Yachts)

- .1 discontinue equipping its yachts with portable bathing ladders, as they are not a suitable means of reboarding according to Directive 2013/53/EU (see Chapter 5.4.1).³

³ See also Safety Recommendation 7.4 in BSU Investigation Report 143/11 – Death of a crew member of the sailing yacht SPECIAL ONE on 30 April 2011 off Fehmarn.

- .2 in the event of equipping yachts with portable bathing ladders, choose a more practicable fastening mechanism with automatic securing, which dispenses with knurled thumb screws or similar (see Figure 22 and Chapter 5.4.1) for safety reasons.
- .3 discontinue equipping its yachts with emergency ladders that do not comply with the requirements of DIN EN ISO 15085:2018 (e.g. recess-fit rope ladders, see Chapters 4.3.3.1 and 5.4.1).
- .4 describe in the 'Owner's / skippers Manual' [sic] means of reboarding in accordance with DIN EN ISO 15085:2018 Chapter 17 and recommend that they be kept ready for deployment and available at all times.³