

Accident Report

Man Overboard

Don't Ask

1 January 2006

Class A



REPORT NO.: 06 1238

VESSEL NAME: *DON'T ASK*

Ship Type:	Motor Launch
Certified Operating Limit:	Recreational
Flag:	New Zealand
Construction Material:	Fibreglass
Length Overall (m) :	9.75
Registered Owner:	Mr G McGill
Accident Investigator:	Andrew Hayton

NARRATIVE

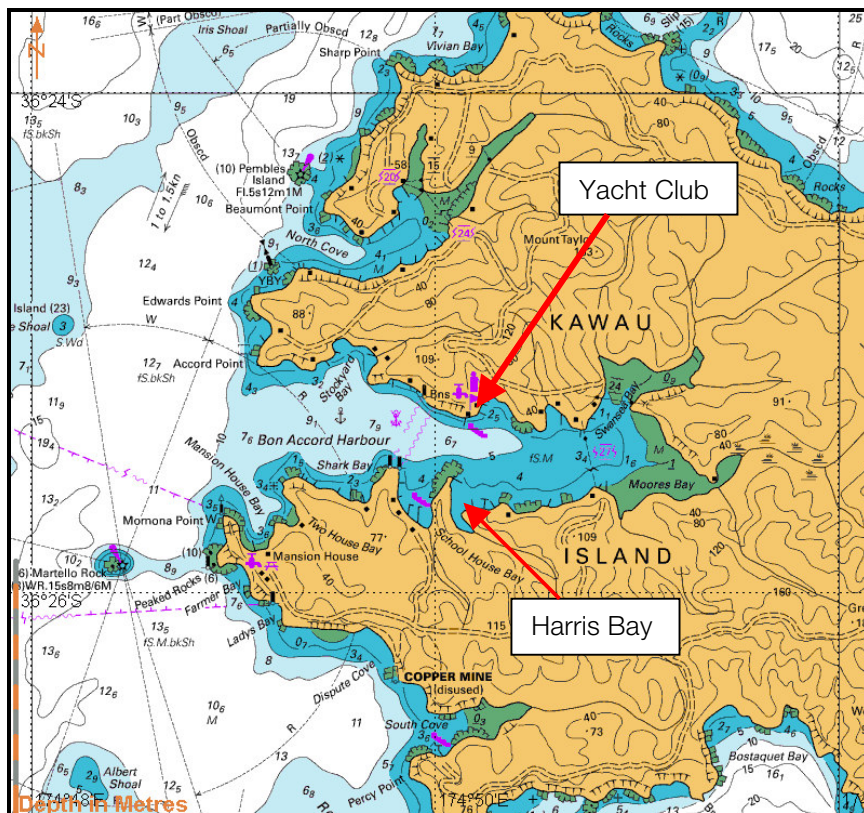


Figure 1

On the evening of 31 December 2005, the 32 foot vessel *Don't Ask* was anchored in Harris Bay, Kawau Island. At approximately 2115 hours New Zealand Daylight Time (NZDT), five people caught a water taxi from *Don't Ask* to the Kawau Island Yacht Club with the intention of having a few drinks and to celebrate the New Year.

At approximately 0030 hours on 1 January 2006, the five friends caught the pre-arranged water taxi back to *Don't Ask*. Upon returning to the vessel, the owner of the vessel fell into the sea. Mr Shrigley also fell into the sea when trying to help him onboard. The two men were pulled out by the Skipper. The four friends then proceeded to consume a bottle of wine between them.

The last of the friends retired to their bunks approximately 0145 hours. Mr Shrigley's wife made up her husband's bunk with him and provided him with a torch and a bottle of water.

At approximately 0345 hours, the wife of Mr Shrigley awoke after hearing some bottles rattling at the stern of the vessel. After approximately five minutes, she thought that the noise may have been her husband going to the toilet and as she had not heard him return to his bunk, she went to check on him.

Finding his bunk empty, she quickly checked the rest of the vessel and shining a torch in the water around the vessel but to no avail.

Mr Shrigley's wife awoke the skipper and his wife and a cell phone call was made to 111 for assistance at 0354 hours.

Those onboard *Don't Ask* used two flashlights in an attempt to illuminate the water surrounding the vessel, and called out but they could neither see nor raise Mr Shrigley.

Coastguard was notified of the incident by the Police at 0359 hours.

Several vessels and the Westpac Rescue Helicopter joined the search.

At 0532 hours the vessel **Valium** located a body close into shore in position 36° 25.615' S 174° 50.112'E in approximately one metre of water. The body was recovered at 0534 hours by the Coastguard vessel **North Harbour Rescue #1** and was subsequently identified as being Mr Shrigley.



Photograph 1
Don't Ask

FINDINGS

Don't Ask is a 32 foot (9.75m) Randell Motor launch.

The weather at the time of the incident was fine with a light wind and good visibility. The sea conditions were calm.

There were numerous vessels anchored in Harris Bay at the time of the accident, with one vessel, **Barbara Ray**, rafted alongside **Don't Ask**.

Civil Twilight on the morning of 1 January 2006 was at 0535 hours. There was a new moon on 31 December 2005. Despite being dark, the owner of the vessel states that it was possible to see visually the vessels anchored around **Don't Ask** and also the Harris Bay jetty.

Low water at Mansion House Bay, Bon Accord Harbour on the morning of 1 January was at 0235 hours with the next high water at 0842 hours.

Mr Shrigley was sleeping on the starboard side on the main cabin on a drop down bed.

Mr Shrigley's underwear was found in the cockpit of the launch indicating that he may have gone to the toilet over the side of the vessel and fallen overboard in the process.

There were no eye witnesses to the accident.

There is a sliding door between the main cabin and the outside deck.

The bulwarks around the stern of **Don't Ask** have an internal height of approximately 50cm. There are handrails on top of the port and starboard bulwarks.

The stern of **Don't Ask** does not have a bulwark door, necessitating climbing over the bulwark in order to stand on the transom's boarding platform.

It is not known if **Don't Ask's** battery powered deck lights were on or off at the time of the accident.

Located on the flying bridge of **Don't Ask** are two lifebuoys. These were not deployed during this accident as those onboard the vessel could not see Mr Shrigley and did not know from where he had fallen.

Mr Shrigley was taking medication for high blood pressure and cholesterol. His wife described him as being 'night blind' as he was not very good getting around in the dark at home. It is believed that Mr Shrigley could swim.

The post mortem results recorded that Mr Shrigley had a blood alcohol level of 395 milligrams of alcohol per 100 millilitres of blood. As a comparison, the legal driving limit for a person of his age is 80 milligrams of alcohol per 100 millilitres of blood.

The post mortem records that Mr Shrigley died from '*drowning in association with ischemic heart disease and acute or chronic alcohol abuse*'.