ACCIDENT REPORT

MAIB

MARINE ACCIDENT INVESTIGATION BRANCH

Report on the investigation of the

person overboard from the keelboat

LimbItless

resulting in one fatality

off Cowes, Isle of Wight, England

on 1 October 2022

VERY SERIOUS MARINE CASUALTY REPORT NO 7/2025 APRIL 2025

The United Kingdom Merchant Shipping

(Accident Reporting and Investigation)

Regulations 2012 – Regulation 5:

"The sole objective of the investigation of an accident under the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 shall be the prevention of future accidents through the ascertainment of its causes and circumstances. It shall not be the purpose of an investigation to determine liability nor, except so far as is necessary to achieve its objective, to apportion blame."

NOTE

This report is not written with litigation in mind and, pursuant to Regulation 14(14) of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012, shall be inadmissible in any judicial proceedings whose purpose, or one of whose purposes is to attribute or apportion liability or blame.

Front cover image courtesy of Andrew Cassell Foundation.

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GLOSSARY OF ABBREVIATIONS AND ACRONYMS

ABP	-	Associated British Ports
ACF	-	Andrew Cassell Foundation
CCCA	-	Cowes Clubs and Classes Association
CHC	-	Cowes Harbour Commission
CPR	-	cardiopulmonary resuscitation
ISO	-	International Organization for Standardization
JOG	-	Junior Offshore Group – a yacht club enabling smaller yachts to compete in offshore racing
KHM	-	King's Harbour Master
kts	-	knots
MCA	-	Maritime and Coastguard Agency
MGN	-	Marine Guidance Note
MSN	-	Merchant Shipping Notice
N	-	Newton (10 Newtons is equivalent to 1kg of buoyancy)
nm	-	nautical mile
PFD	-	personal flotation device
PMSC	-	Port Marine Safety Code
RIB	-	rigid inflatable boat
RNLI	-	Royal National Lifeboat Institution
RRS	-	World Sailing 2012 to 2024 Racing Rules of Sailing
RTC	-	recognised training centre
RYA	-	Royal Yachting Association
SASHMA	-	Solent and Southern Harbour Masters Association
SCRA	-	The Solent Cruising and Racing Association
SHA	-	Statutory Harbour Authority
SOP	-	standard operating procedure
UTC	-	universal time coordinated
VHF	-	very high frequency

TIMES: all times used in this report are UTC+1 unless otherwise stated.

Image courtesy of John Green Photos

LimbItless

SYNOPSIS

At about 1336 on 1 October 2022, Elizabeth Wood, a 43-year-old crew member, fell overboard from the Andrew Cassell Foundation Sonar class keelboat *LimbItless* during a race off Cowes, Isle of Wight, England.

The keelboat quickly returned to Elizabeth's location in the water but its crew were unable to recover her back on board. A further 15 minutes later, Elizabeth was recovered with assistance from the crews of three other vessels that had arrived on scene in response to the skipper's "Mayday" broadcast. Elizabeth was unconscious when recovered and, despite cardiopulmonary resuscitation being administered as she was taken ashore and professional medical attention on arrival, she did not recover.

The Andrew Cassell Foundation's aim was to enable disabled sailors to race with and against non-disabled crews in an inclusive and equal environment. On the day of the accident, the foundation was participating in racing organised by the Cowes Corinthian Yacht Club. *LimbItless* was crewed by an experienced skipper, Elizabeth, and two foundation participant crew members.

The investigation found that the Andrew Cassell Foundation did not have an effective method of recovering Elizabeth from the water and she died through drowning. A risk assessment had been conducted but was incomplete and did not consider recovery methods tailored to individual needs. It was also established that the equipment and training provided to volunteers did not sufficiently address how to physically recover people from the water and a safety boat was not deployed. Oversight, assurance, and governance of charitable sailing activities was found to be lacking unless it was conducted by the Royal Yachting Association when approving its Recognised Training Centres.

Following the accident, the Andrew Cassell Foundation made significant changes to its organisation, training, risk assessments and documentation; procured a bespoke vessel to act as a safety boat when necessary; and joined the Royal Yachting Association Sailability scheme.

A recommendation has been made to the Maritime and Coastguard Agency to review the definition of 'Pleasure Vessel' to clarify that vessels operated by organisations and charities to take vulnerable adults and children afloat do not fall within the scope of that definition.

A recommendation has also been made to the Local Government Association Coastal Special Interest Group to share this report with its members.

SECTION 1 – FACTUAL INFORMATION

1.1 PARTICULARS OF *LIMBITLESS* AND ACCIDENT

VESSEL PARTICULARS	
Vessel's name	*LimbItless*
Flag	UK
Classification society	Not applicable
IMO number/fishing numbers	Not applicable
Type	Sonar keelboat
Registered owner	Andrew Cassell Foundation
Manager(s)	Andrew Cassell Foundation
Construction	Glass reinforced plastic
Year of build	2015
Length overall	7.01m
Registered length	Not applicable
Gross tonnage	Not applicable
Minimum safe manning	Not applicable but accepted to be 3 in Sonar Class Association Rules and local documentation
Authorised cargo	Not applicable

VOYAGE PARTICULARS	
Port of departure	Cowes, Isle of Wight, England
Port of arrival	Cowes, Isle of Wight, England
Type of voyage	Coastal
Cargo information	Not applicable
Manning	4

MARINE CASUALTY INFORMATION	
Date and time	1 October 2022 at about 1336
Type of marine casualty or incident	Very Serious Marine Casualty
Location of incident	200m north of The Green, Cowes, Isle of Wight, England
Place on board	Cockpit
Injuries/fatalities	1 fatality
Damage/environmental impact	Not applicable
Ship operation	Not applicable
Voyage segment	Mid-water
External & internal environment	Wind south-westerly, force 3 to 4 gusting force 5; partly cloudy; moderate waves; good visibility; water temperature 16.5°C, air temperature 17.4°C.
Persons on board	4

1.2 BACKGROUND

On his successful return as a gold medallist from the Atlanta 1996 Paralympic Games, Andrew Cassell established a charity foundation to enable *individuals with physical disabilities or impairments to race competitively in sailing on an equal level playing field with and against able bodied sailors, in an inclusive and equal environment in all classes*.

At the time of the accident the Andrew Cassell Foundation (ACF) operated three Sonar class keelboats from the Cowes Corinthian Yacht Club, Cowes, Isle of Wight, England. The ACF had planned involvement for its participants in a weekend of training and racing at the yacht club, which was the race organiser for the event.

1.3 NARRATIVE

1.3.1 Preparation

At around 0900 on Saturday 1 October 2022, Elizabeth Wood travelled on the fast ferry from Southampton to Cowes, to participate in a planned weekend of sailing with the ACF. She arrived at the yacht club at about 0935 and was met by the ACF's director and other participants. At 1015, after introductions and a short briefing about the format of the day, Elizabeth and two other participants (volunteer 2 and volunteer 3) left the clubhouse and went to the adjacent boat apron to start preparing the Sonar class keelboat *Limbltless* **(Figure 1)**.

Figure 1: *Limbltless* on apron

At 1118, after *Limbltless* had been removed from its trolley, craned into the water, and rigged for sailing, the three returned to the yacht club for lunch. There was a final briefing covering the conduct of the race and expected weather conditions before the *Limbltless* crew changed into waterproof sailing clothing and each donned a personal flotation device (PFD). Elizabeth was wearing her own 150 Newtons (N) automatic inflation lifejacket with the crotch strap properly attached, dinghy boots, bespoke sailing salopettes and a spray top over her clothing.

1.3.2 The race

At 1218, Elizabeth and volunteer 2 left the yacht club and returned to *Limbltless*. They were joined shortly afterwards by the ACF's director, who would skipper *Limbltless* for the race, and volunteer 3. *Limbltless* departed the club's pontoon at 1233, and the crew paddled clear of other vessels before sailing out to the start line **(Figure 2)** that had been established between Cowes Corinthian mark (no.34) and the anchored committee boat. The race was scheduled to start at 1305 and the crew of *Limbltless* spent the time before the race practising sailing manoeuvres, with Elizabeth at the helm and the skipper alongside her. Volunteer 2 and volunteer 3 were engaged in managing the sail outfit.

As *LimbItless* was positioning to start the race, two rigid inflatable boat (RIB) skippers from a local water sports, yachting and training school were readying two groups of trainees for their afternoon training session on a Royal Yachting Association (RYA) Level 2 Powerboat Handling course at Cowes Yacht Haven. The Cowes Harbour Commission launch, *HM1*, was secured alongside Shepards Marina, Cowes while the coxswain took a break.

At 1255, the club race officer on board the committee boat announced the choice of the long course. Detailed in the sailing instructions, the race would include rounding the Royal Cork, Paul Heys and Goodall Roofing racing marks and would be about 10.5 nautical miles (nm) in length **(Figure 2)**. The sailing direction was left to the skippers' discretion, as was the order in which each racing mark was rounded before the vessels passed through a racing gate established between the Snowden special racing mark (no.39) and the Gurnard North Cardinal Buoy marking the northern extremity of the new Cowes breakwater.

At 1305, the race was started by the race officer on very high frequency (VHF) radio channel 77 and *LimbItless* headed west to the Royal Cork racing mark with Elizabeth at the helm.

1.3.3 The accident

The skipper took the helm before *LimbItless* rounded the Royal Cork racing mark. Having rounded the mark and settled on course to head downwind back to the racing gate near the starting line, before making way to the next racing mark, the skipper instructed the crew to rig the spinnaker[1].

Elizabeth moved from the stern of *LimbItless* to the forward end of the cockpit and removed the spinnaker from the port forward locker. Meanwhile, volunteer 3 prepared to take up on the spinnaker halyard[2]. After a final brief, and a check that the halyard was clear of the mainsail[3] and shrouds, Elizabeth and volunteer 3 set the sail under the skipper's instruction of "*Three, two, one: now!*".

At approximately 1336, while inside the cockpit, kneeling against the hull on the port side and holding the spinnaker in outstretched arms **(Figure 3)**, Elizabeth went overboard.

[1] A large triangular sail designed for sailing downwind.

[2] A line used to hoist or lower a sail.

[3] The largest and lowermost sail on the mainmast.

Image courtesy of Solent Cruising and Racing Association and Roberts Charts 2022

Reproduced from Admiralty Chart 2038 by permission of HMSO and the UK Hydrographic Office

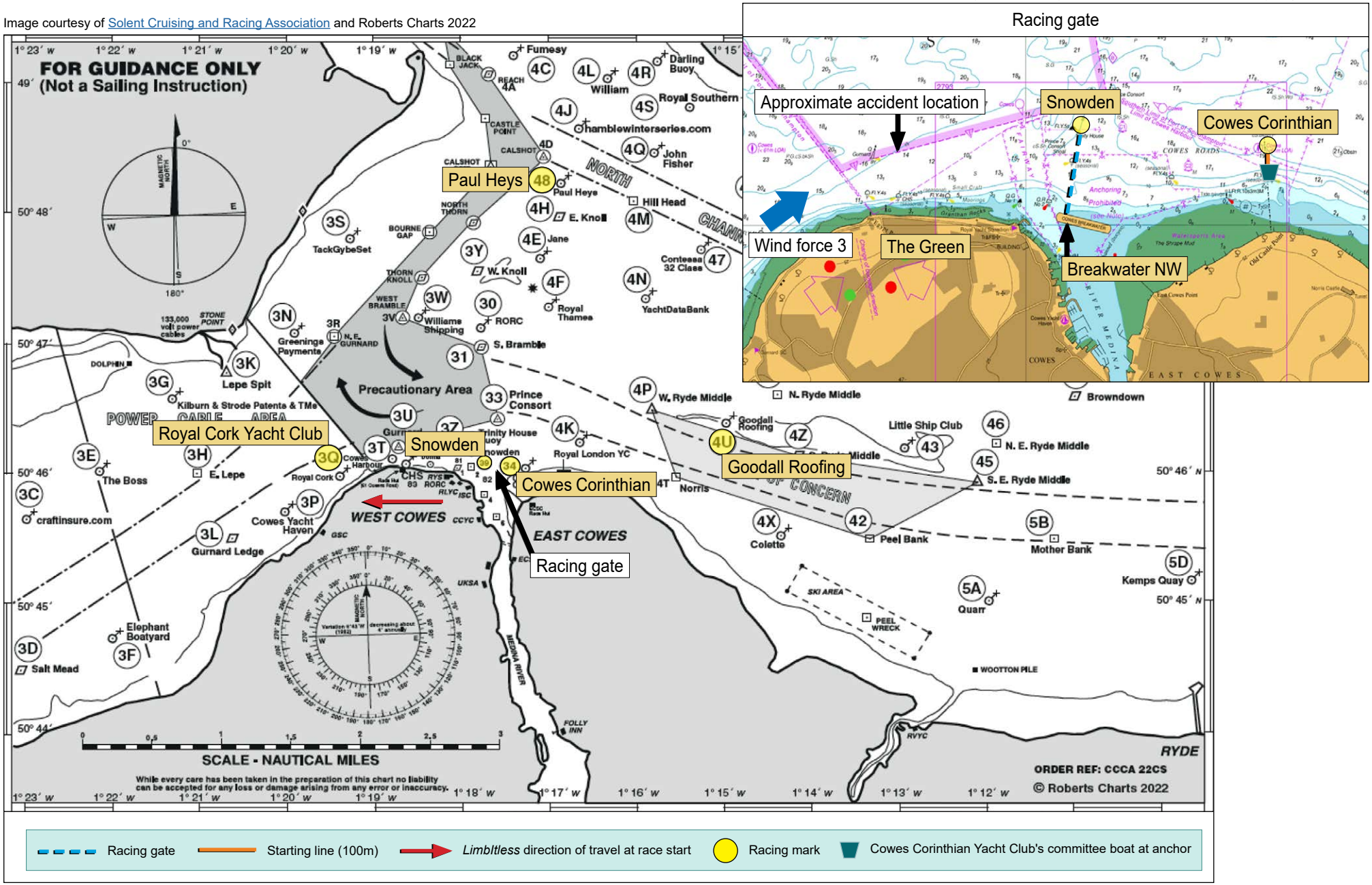
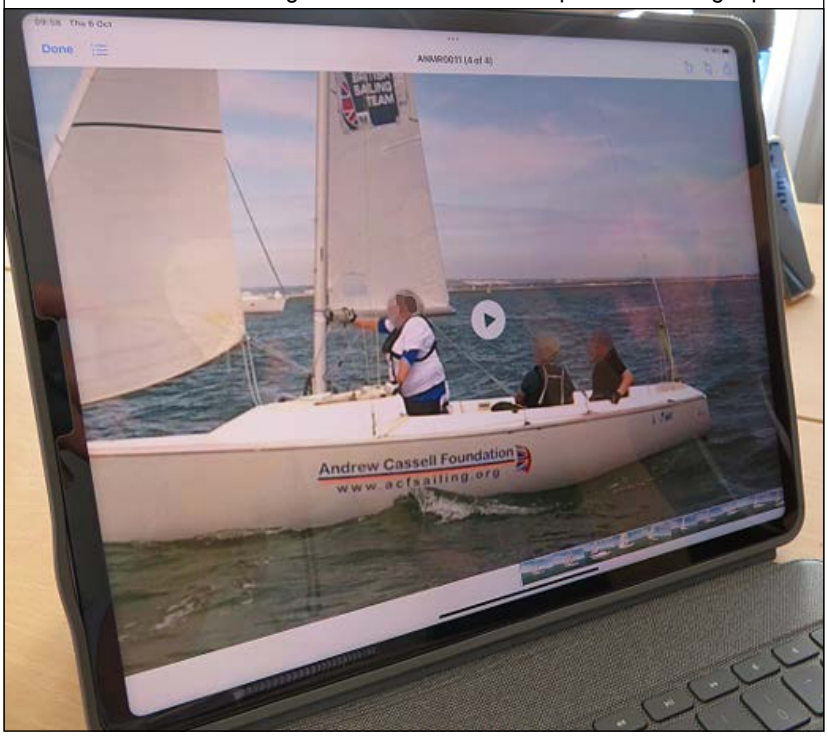


Figure 2: Race area and insert

Elizabeth Wood's height relative to bulwark on previous sailing trip



Reconstruction of Elizabeth's position while launching the spinnaker

Figure 3: Elizabeth Wood in a Sonar keelboat

1.3.4 The recovery

The skipper shouted for the spinnaker to be recovered, gybed[4] *Limbltless* and sailed back towards Elizabeth, who was afloat with her head clear of the water and her PFD fully inflated. *Limbltless* arrived quickly alongside her and the crew let go the jib[5]. The skipper and volunteer 2 brought Elizabeth close to the vessel but were unable to pull her inboard. The skipper and crew reassured Elizabeth, who was conscious and talking.

The combination of tidal stream and wind set *Limbltless* along The Green, Cowes, and the skipper decided to turn the vessel away from shore, assessing that Elizabeth was buoyant enough to remain in the water alone. A thin stern line was initially passed to her to hold on to, but it became clear that the manoeuvre to reposition was not possible with the jib lowered. As sail was set to provide propulsion and forward momentum gained, Elizabeth was unable to retain her grip on the thin stern line and was seen to be losing consciousness. The skipper of *Limbltless* again repositioned the vessel alongside her and, with volunteer 2, regained a hold, moving her to the stern of the vessel as the sails were being dropped.

At 1342, a yacht racing nearby noticed the incident and called Solent Coastguard. Almost a minute later, recognising that Elizabeth could not be recovered from the water by the available crew on board, the skipper of *Limbltless* transmitted the first "Mayday" call on VHF channel 16.

The "Mayday" transmission and relays were overheard by the coxswain of *HM1* who immediately prepared to depart the wharf, collecting a marina employee to serve as a deckhand on the way. The skippers of the two training school RIBs also overheard

[4] A sailing manoeuvre whereby a sailing vessel reaching downwind turns its stern through the wind to exert force from the opposite side.

[5] A triangular sail sometimes used at the front of a sailing boat.

the VHF transmissions while departing for their afternoon training sessions and immediately decided to assist, recognising that it was an ACF vessel in distress and understanding the difficulties that ACF crews might encounter.

The “Mayday” call was received by the committee boat, which immediately weighed anchor and arrived at the scene of the incident about 10 minutes later. The committee boat’s skipper decided to stand off and attempt to provide a lee, assessing it was too dangerous to bring the boat alongside *LimbItless* to attempt a recovery.

The crew of *HM1* departed the Cowes inner fairway at speed, overtook one of the RIBs and quickly identified *LimbItless* some 200m off The Green. Slowing their approach, they came alongside *LimbItless*, secured *HM1* to its port side and immediately assisted with the attempted recovery of Elizabeth over the transom of *LimbItless*. During the recovery it was observed that Elizabeth’s PFD, although in place and intact, had shifted position and was partially obscuring her face, and that she was subject to occasional wave splash.

One of the training school’s RIBs was the next vessel to arrive on scene. Recognising the wind was causing *HM1* and *LimbItless* to sit beam to wind, and with waves breaking into the cockpit and therefore complicating the recovery, the RIB skipper took charge of the keelboat’s bow and pulled both *LimbItless* and *HM1* head to wind.

The second RIB arrived shortly after and its skipper and one crew member joined the crew of *HM1*; together, they were able to recover the now unconscious Elizabeth on to *LimbItless* and then quickly transfer her to *HM1*, which provided a better platform for casualty handling, where cardiopulmonary resuscitation (CPR) was continued. Volunteer 3 also crossed to *HM1* to assist in the provision of first aid and the transfer of the casualty ashore.

At 1356, *HM1* let go of the RIBs and *LimbItless* and made best speed to Trinity Landing, Cowes, the crew calling ahead for an ambulance to meet them on arrival. Volunteer 3, along with the skipper and a crew member from the second RIB, continued CPR and attempted to clear and maintain the unconscious casualty’s airway.

At 1359, *HM1* arrived at Royal London Yacht Club Pontoon and the deckhand went immediately to the Royal National Lifeboat Institution (RNLI) Cowes Lifeboat Station to collect oxygen and first aid equipment. At about 1415, an ambulance arrived and care of Elizabeth was passed to the paramedics who continued to carry out CPR while moving her to the ambulance.

At 1501, Elizabeth was declared deceased despite the efforts of the five crew from *HM1*, *LimbItless* and the RIB, the Isle of Wight Ambulance Service first responders and three off-duty medical professionals who were passing by.

1.4 ENVIRONMENTAL CONDITIONS

Weather conditions were considered good for sailing with 12 knots (kts) to 15kts of wind from the south-west, occasional gusts to 20kts, and a 0.5m to 1m swell further offshore. It was sunny with little cloud. High water at Portsmouth, England, was at 1539, with a height of 4.5m.

1.5 *LIMBITLESS* CREW

1.5.1 Elizabeth Wood

Elizabeth Wood was 43 years old and had sailed extensively in her youth. In recent years the treatment she had received for a series of physical and mental health conditions had led to significant weight gain and a loss of confidence. She weighed 127kg, was 166cm in height, and had asthma and was being treated for anxiety at the time of the accident. Elizabeth had joined the ACF in 2021, had participated in Cowes Week in August 2022, and was reported to have benefited significantly from her sailing experiences.

The results of the postmortem recorded her cause of death as drowning. The results of subsequent toxicology tests indicated there was no reason for her judgement to have been impaired at the time of the accident.

1.5.2 The skipper

The skipper of *Limbltless* was 39 years old and had extensive experience of working within Paralympic sailing. The skipper held various RYA certificates, appropriate for the operation of *Limbltless*, including:

- RYA/Maritime and Coastguard Agency (MCA) Yachtmaster Offshore
- RYA Race Coach Level 3
- RYA First Aid

The skipper was in the process of renewing their RYA Keelboat Senior Instructor qualification, held since 2005, which had lapsed in February 2021, as well as their lapsed RYA Powerboat Instructor qualification.

The skipper also held a Radiotelephone Operator's Restricted Certificate. In spring 2022, the skipper had gained Disclosure and Barring Service clearance and completed suicide prevention and mental health first aid training.

The skipper had been involved with the ACF since 2016 and had played a key role in the organisation and management of all aspects of the charity's activities since 2017. At the time of the accident the skipper was a director of the ACF, employed as a contractor on a zero-hours basis. Adhering to the charity's emphasis on racing, the skipper encouraged crews to sail in a competitive manner.

1.5.3 Volunteer 2

Volunteer 2 was 23 years old and had joined the ACF in 2021 with no previous sailing experience. Volunteer 2 was able to rig *Limbltless* in preparation for sailing and had gained RYA Level 2 Powerboat Handling and RYA First Aid qualifications through the ACF. On the day of the accident, volunteer 2 was wearing their own correctly fitted PFD with a waterproof sailing jacket and waterproof trousers. Volunteer 2 had sailed with Elizabeth during Cowes Week 2022 and on numerous other occasions throughout the season.

1.5.4 Volunteer 3

Volunteer 3 was 70 years old and had joined the ACF in 2021 with considerable dinghy and offshore sailing experience but no formal qualifications. Volunteer 3 had gained RYA Level 2 Powerboat Handling and RYA First Aid qualifications through the ACF. On the day of the accident volunteer 3 was wearing a correctly fitted PFD and waterproof sailing clothing. Volunteer 3 had sailed with Elizabeth during Cowes Week 2022 and on numerous other occasions throughout the season.

1.6 *LIMBITLESS*

Limbltless was a 7m Sonar class keelboat **(Figure 4)** built in 2015 by Carbon Index Ltd, Cowes, to the 1980 design of Canadian naval architect Bruce Kirby. The Sonar had a high stability index resulting in good dynamic stability when underway. It was the class chosen as a demonstrator event at the 1996 Paralympic Games and then selected as a class for use in the Paralympic Sailing Competition from 2000 until 2016, after which the sport was removed from the event.

Limbltless was purchased by ACF in April 2022 to complement another Sonar it already owned. *Limbltless* was berthed on a trolley on the apron of the Cowes Corinthian Yacht Club **(**see **Figure 1)**, from where it would be rigged for sailing before being craned onto the water at an adjacent pontoon.

Image courtesy of Sailboat Guide

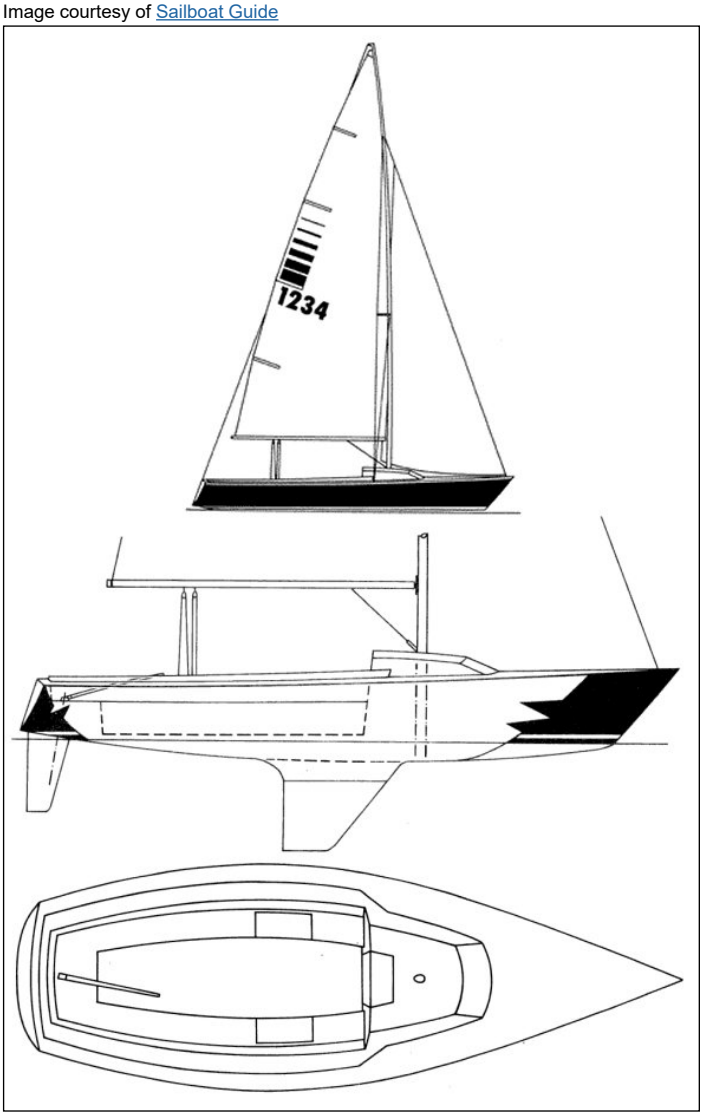


Figure 4: Schematic of a Sonar keelboat

1.7 THE ANDREW CASSELL FOUNDATION

1.7.1 Focus

The focus of ACF was to return sailors with disabilities to racing and competing in appropriate races against non-disabled competitors. The intent was not to provide a sailing experience for those new to sailing. At the time of the accident ACF was run by four trustees, one of whom was elected as chair. The role of director was resourced on a casual (zero hours), job-specific basis and not as a full-time employee. The charity had undergone a revitalisation process in 2017/18 to establish better funding streams and had reviewed its strategy in June 2020.

1.7.2 Strategy

The strategy sought to relaunch the scope of the charity and identified several tasks to make this happen, noting that there was a need to create personal development plans for individuals, staff, and volunteers. It was ambitious, identifying the need for more people to help with organisation and highlighting the multiple workstreams requiring attention such as marketing; recruitment; fundraising; coaching; and increasing the number of support boat coxswains. The strategy also considered risk management, stating that the risk of damage to a person sailing with ACF was *medium* probability and *high* impact. The mitigation plan required an activity agreement/standard operating procedure (SOP) to be put in place. The extant SOP, dated 1 July 2022, **(Annex A)** drew heavily on the RYA's recommended risk statement:

> *22. Risk Statement. Rule 4 of the Racing Rules of Sailing states, 'The responsibility for a boat's decision to participate in a race or to continue racing is hers alone.' Sailing is by its nature an unpredictable sport and therefore inherently involves an element of risk. By taking part in an event, each competitor agrees and acknowledges that:*
>
> *22.1. They are aware of the inherent element of risk involved in the sport and accept responsibility for the exposure of themselves, their crew and their boat to such inherent risk whilst taking part in the event;*
>
> *22.2. They are responsible for the safety of themselves, their crew, their boat and their other property whether afloat or ashore;*
>
> *22.3. They accept responsibility for any injury, damage or loss to the extent caused by their own actions or omissions;*
>
> *22.4. Their boat is in good order, equipped to sail in the event and they are fit to participate;*
>
> *22.5. The provision of a race management team, patrol boats and other officials and volunteers by the event organiser does not relieve them of their own responsibilities;*
>
> *22.6. The provision of patrol boat cover is limited to such assistance, particularly in extreme weather conditions, as can be practically provided in the circumstances.*

22.7. It is their responsibility to familiarise themselves with any risks specific to this venue or this event drawn to their attention in any rules and information produced for the venue or event and to attend any safety briefing held for the event. [sic]

1.7.3 Operational management

The achievement of all ACF sailing activity depended on support from participants in the form of providing crews for the rigging and sailing of the Sonar keelboats and driving the support RIB. Organisation of all sailing activities was coordinated by the ACF's director.

Qualification of volunteers

Volunteers seeking to participate in ACF activities underwent an assessment with the director. Those holding recognised RYA qualifications were encouraged, through familiarisation sessions, to qualify as independent skippers of the Sonar keelboats, while others were judged on their competency and sailing experience. There was no format for this assessment and volunteers were encouraged to obtain the RYA Level 2 Powerboat Handling certificate to enable them to helm the support RIB.

Use of a support boat

When volunteering levels permitted and a skipper with an ACF endorsement was available for the Sonar keelboats, the ACF's director would deploy in a RIB loaned by the Cowes Corinthian Yacht Club or another owner to advise and coach the crew. It was usual not to deploy a support RIB when the keelboats were participating in organised sailing events.

1.7.4 People management and event planning

The ACF used the Stack Team App, a web and smartphone-based application, to communicate with participants, plan events and collect donations. On joining the charity each participant completed an online registration form that recorded their contact telephone numbers, home address and medical information. The app contained links to documentation that participants were required to familiarise themselves with for upcoming events. It also illustrated the charity's standard operating procedure (SOP) **(Annex A)** and the path to sailing with ACF **(Annex B)**. There was no means to record training completed, capability assessments undertaken or for notification of an individual's specific requirements to be passed to other ACF participants such as a skipper. All participants were required to sign the SOP with either a digital or handwritten signature before sailing with the ACF.

Participants, whether volunteering or hoping to benefit from its activities, were invited to visit the ACF and meet the director when they registered an interest in sailing with the charity. During the meeting the director would review the individual's entries in the app, interview them to assess whether they were a 'good fit' with the charity's aim and that the ACF could meet their needs, and conduct, or arrange to conduct, a 'dock test'.

The dock test was conducted on board a Sonar keelboat in the water alongside a pontoon to determine an individual's needs and capabilities. There was no written proforma for the dock test. The next step was for the individual to progress to

sailing a Sonar with other participants; the maximum crew was five people and the minimum crew was three people, determined by the availability and competency of the crew members.

Elizabeth's dock test had noted that she was at risk of *postural instability* due to her shape and weight, and it was decided that she would remain inside the cockpit when sailing a Sonar keelboat. Fellow crew had raised Elizabeth's suitability to the Sonar keelboat with the director during Cowes Week when it was determined that, rather than direct her to bigger sailing yachts where her participation might be limited, Elizabeth was best suited to stay with the ACF Sonars, where the requirement for her to remain inside the cockpit would provide the safest option for her to continue sailing.

The ACF SOPs encouraged skippers to seek advice from the director in *Rough Weather*, which was defined as *Sea State 4 (wave height 1.2 to 2.5m)*. No boat was authorised to sail in *Very Rough Weather – Sea State 5 (wave height 2.5 to 4m or more)*. Additionally, wind strengths greater than 25kts prevented launch and spinnaker use was not authorised in gusts greater than 25kts without permission from the director.

The ACF advertised the programme for the 1 to 2 October 2022 training/ racing weekend on the Stack Team App **(Figure 5)** and used a group chat function to update participants on timings, organisational details, and the expected weather conditions.

At 1943 on 30 September 2022, Elizabeth had accessed the Stack Team App and acknowledged the arrangements and timings for the next day. Advertising for the weekend event indicated that participants would play a greater than normal role in the preparation and planning of their boat's navigation when racing.

The race details for 1 October 2022 were provided in the Cowes Corinthian Yacht Club's sailing instructions. The introduction to the risk statement in paragraph 17 quoted RRS 4:

> *…The responsibility for a boat's decision to participant in a race or to continue sailing is hers alone.* [sic]

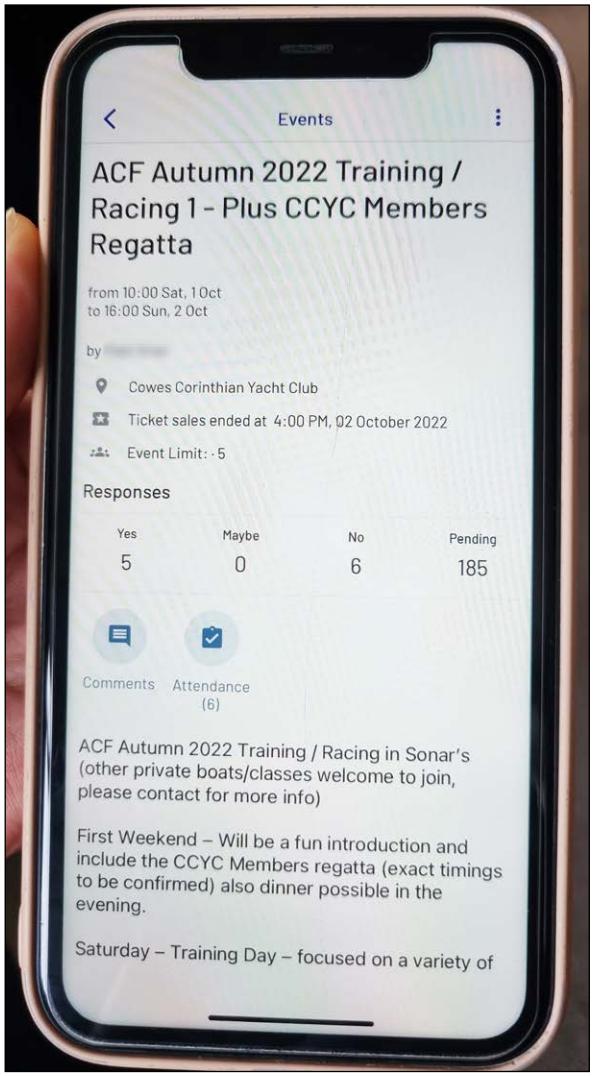


Figure 5: Stack Team App

The risk statement instructed that:

> *Sailing is by its nature an unpredictable sport and therefore inherently involves an element of risk. By taking part in the event, each competitor agrees and acknowledges that:*
>
> *17.1* *They are aware of the inherent element of risk involved in the sport and accept responsibility for the exposure of themselves, their crew and their boat to such inherent risk whilst taking part in the event;*
>
> *17.2* *They are responsible for the safety of themselves, their crew and their boat and their property whether afloat or ashore;*
>
> *17.3* *They accept responsibility for any injury, damage or loss to the extent caused by their own actions or omissions;*
>
> *17.4* *Their boat is in good order. Equipped to sail in the event and they are fit to participate;*
>
> *17.5* *The provision of a race management team, committee boats and other officials and volunteers by the event organiser does not relieve them of their own responsibilities.*
>
> *17.6* *The provision of patrol boat cover is limited to such assistance, particularly in extreme weather conditions, as can be practically provided in the circumstances.* [sic]

The Cowes Corinthian Yacht Club's aluminium committee boat **(Figure 6)** was used as a marker at one end of the start line. The race officer and three other people were on board. There was no means of recovering people from the water other than the derigged, stowed boarding ladder. The freeboard was 0.9m at the lowest point near the wheelhouse.

Figure 6: Cowes Corinthian Yacht Club committee boat

1.7.5 The race

LimbItless was participating in a race that had been postponed by the Cowes Corinthian Yacht Club earlier in the season. The race was termed 'Navigator's Nightmare' because the order that the race marks were to be rounded was left to the individual skippers, although all participants were required to pass back through a central 'gate' after rounding each mark. The gate was located between the Snowden mark and the Gurnard North Cardinal Buoy at the northern extremity of the new Cowes breakwater **(**see **Figure 2)**. The start line was located between the Cowes Corinthian mark and the Cowes Corinthian Yacht Club committee boat anchored 100m to the south.

1.8 THE SOLENT AND ITS AUTHORITIES

The Solent is a body of water between the Isle of Wight and the south coast of England, bounded to the west by Hurst Narrows and to the east by the Palmerston Forts. It is a busy commercial waterway that serves the ports of Southampton and Portsmouth and is world-renowned for sailing, especially around the port of Cowes.

Tidal conditions

Tidal conditions were characterised by a unique tidal curve at Southampton generating strong and opposing tidal streams at certain times off Cowes and in the mid-Solent. This could lead to choppy, wind against tide conditions inshore.

The general run of tide in the mid-Solent turned westbound an hour before Portsmouth high water. A useful strong back eddy streamed westwards along the coast at Cowes 3 hours before Portsmouth high water. A vessel had the choice of tidal directions during this 2-hour window: westbound vessels could make use of the eddy by standing in towards the shoreline; eastbound vessels could move out into the western Solent to make the best of the predominant tidal stream. At the time of the accident the wind against tide effect created a mixed and choppy sea inshore.

Statutory Harbour Authorities

The Statutory Harbour Authority (SHA) for Southampton was Associated British Ports (ABP) Southampton and the SHA for Portsmouth Harbour and most of the eastern Solent was the King's Harbour Master (KHM) Portsmouth. The SHA for Cowes Harbour and the River Medina was Cowes Harbour Commission (CHC), constituted under the Cowes Harbour Act and Orders 1897 to 2012.

On commercial and leisure activities, section 4 of CHC's General Directions[6] for port users stated:

> ***Notice of Recreational Event*** *- The organiser of any yacht, boat or leisure event that is proposed to take part within the harbour shall give not less than 4 weeks' notice in writing to the Harbour Master, and also submit a risk assessment of the event in accordance with the Port Marine Safety Code (PMSC). The Harbour Master may in special circumstances agree to a shorter period of notice. Organisations and yacht clubs that have routine planned events such as weekly club racing may cover the requirement of this direction with an*

[6] Version 1.0, Amendment 7 – April 2020.

annual notification and generic risk assessment for the planned events. This notice and risk assessment must be reviewed and re-submitted annually by the event organiser. [sic]

The PMSC stated that, where a risk assessment was required, it should be:

… undertaken by people who are competent especially when deciding which techniques to use and when interpreting the results. Risks should be judged against objective criteria, without being influenced by the financial position of the authority, to ensure they are reduced to the lowest possible level, so far as is reasonably practicable (that is such risks must be kept as low as reasonably practicable or "ALARP"). The greater the risk, the more likely it is that it is reasonable to go to the expense, trouble and invention to reduce it. There is a hierarchy of risk control principles:

a. minimise risks – by suitable systems of working;

b. combat risks – by taking protective measures to prevent risk; and

c. eliminate risks – by avoiding a hazardous procedure, or substituting a less dangerous one. [sic]

As part of the race was conducted within the confines of CHC SHA's area of responsibility the race organisers informed CHC of their intention to race and provided a standard risk assessment. This had been developed by the Cowes Clubs and Classes Association (CCCA) in its role as a racing coordinator in the Cowes area.

1.8.1 Racing arrangements in the Solent

The Solent Cruising and Racing Association (SCRA) coordinated racing events on the Solent and its overriding aim was to be the first point of contact for cruising and racing in this body of water. The SCRA liaised with harbour authorities, maritime organisations, businesses and clubs to ensure that racing was managed efficiently. It also had links with the RYA South regional association and was represented at the Solent Area Safety Advisory Committee, which met annually to discuss safety issues in the Solent. Cowes Corinthian Yacht Club was a member of the SCRA.

Membership of the CCCA was open to sailing clubs operating keelboats and provided generic racing instructions and specific racing orders for its members. CCCA had provided a risk assessment for committee boat-based racing that all member clubs could use for the season. The risk assessment was sent to SCRA, which in turn forwarded it to CHC, KHM Portsmouth, ABP Southampton and RNLI Cowes Lifeboat Station at the start of the season.

The CCCA risk assessment mitigated the risk of a person overboard with the following control measures:

- communication with authorities;
- race observers on the committee boat and from patrol RIBs;
- patrol vessels such as RIBs and larger patrol craft for larger events; and
- monitoring of weather/sea conditions.

1.9 ROYAL YACHTING ASSOCIATION

The RYA was the UK national governing body for watercraft activities and existed *to get more people into boating and watersport activities, promote safe boating practices and raise the standard of yachting and sailing in the UK through its network of more than 2400 RYA recognised training centres and more than 1500 RYA affiliated clubs*. Its purpose was to *promote and protect safe, successful and rewarding boating*.

The RYA had four main divisions divided into three home countries – RYA Scotland, RYA Northern Ireland and RYA Cymru Wales – and seven regions that extended over England. Each area had regional development officers[7] who were available to provide advice and guidance to RYA affiliated clubs, Recognised Training Centres and other affiliates.

1.9.1 Guidance

The RYA provided guidance to a wide variety of organisations regardless of their recognised level. This was available through regional development officers, recognised training centre (RTC) inspectors and the RYA website, which provided comprehensive direction on subjects such as safety management, risk assessments, clothing, flotation devices and equipment suitability.

1.9.2 Recognition and relationships

The RYA's level of interaction and influence was aligned to the type of membership a club or organisation held, and RTC status was the only one for which it held an authoritative role. The ACF was an RYA Affiliated Club but not a RYA Sailability programme member.

Affiliated Club

A club or organisation could affiliate itself to the RYA. An annual fee based on the size of membership provided the organisation with a range of benefits including, but not limited to, general advice and guidance on managing on the water activities; running a club; safeguarding; and legal advice. The club or organisation remained entirely responsible for its own operation and, while encouraged to follow RYA guidance, it was not a condition of affiliation. There was no inspection process, and the RYA had no oversight of the running of the club or organisation.

RYA Sailability Centre

RYA Sailability was a charity supporting over 200 Sailability centres around the UK. The centres were independently run and were obliged to either be affiliated to the RYA or to be an RYA RTC to be eligible to be a part of the RYA Sailability Programme. Those organisations choosing to be a part of the Sailability programme did so as a result of their shared objective to help enable disabled people to go boating in a safe and supportive environment.

[7] Starting in 2023, regional development officers were replaced with regional integration teams that comprised a regional volunteer team, specialist appointment holders and RYA development staff such as a regional development officer, sailing development officer and disability development staff.

The RYA Sailability programme intended to share good practice and support centres in their efforts to provide safe and engaging activities for disabled people. Sailability centres had access to the collective resources of the RYA, subject matter expert advice and like-minded organisations. A Sailability centre could have its own procedures and adherence to RYA advice was discretionary. There was no inspection process.

Recognised Training Centre

Designation as an RTC was the only formal recognition granted to clubs and organisations by the RYA. An RTC was contractually bound to comply with RYA guidance and, in turn, RTCs were the only clubs or organisations to whom the RYA could dictate standards of operation. The ACF was not an RTC.

1.9.3 Disability awareness training

The RYA provided a 1-day course aimed at increasing awareness of how to communicate and achieve the best outcome for disabled people when sailing. The course was recommended for Sailability centres but was not mandatory. The RYA website provided guidance and advice about safety on the water for disabled people.

1.9.4 Risk assessment aide-memoire

The RYA's guidance on completing a risk assessment included a five-step process **(Figure 7)** that could be accessed via its website.

Image courtesy of Royal Yachting Association

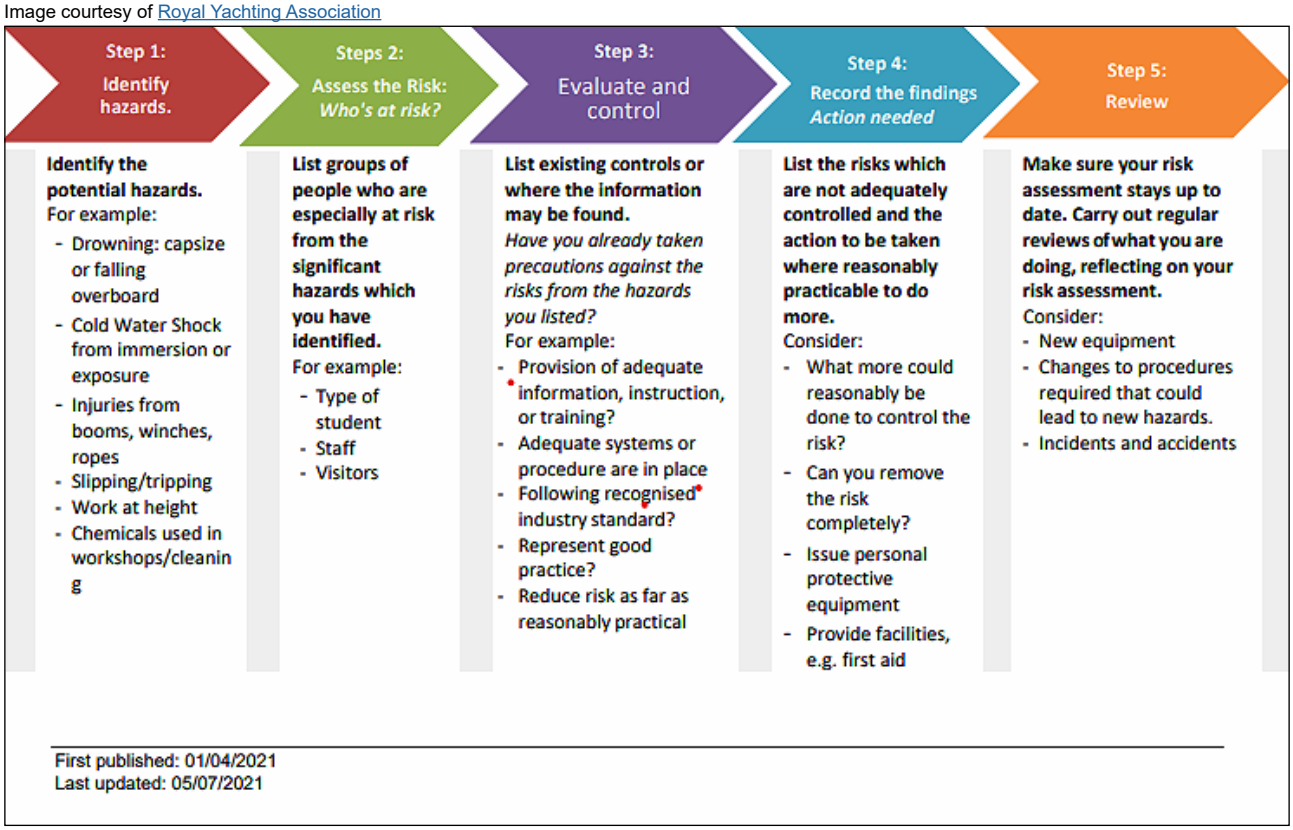


Figure 7: RYA risk assessment aide-memoire

1.9.5 Powerboat qualifications

Level 1 and Level 2

The RYA provided a 1-day Level 1 Start Powerboating course that allowed a user to drive a powerboat under supervision and a 2-day Level 2 Powerboat Handling course to build on Level 1 skills and provide the skills and background knowledge needed by a competent powerboat driver.

Safety Boat

The RYA Safety Boat course provided the skills required by users of an escort craft, safety boat or coach boat for a fleet of dinghies, windsurfers or canoes and for racing and training activities.

The Safety Boat course syllabus included the recovery of people from the water and the towing of small craft. The course was supplemented by a handbook both for those undertaking the course and anyone involved in providing safety boat cover for water activities.

1.9.6 Use of safety boats in keelboat sailing

The risk of falling overboard from a keelboat was greater than that of larger yachts with fixed guardrails and fittings and lower than that of dinghies, for which there was a higher possibility of capsize. In an organised club, dinghy sailing instruction and racing was highly likely to be supported by a safety or coaching boat. The inherent stability of a keelboat meant that independent operation was the most likely arrangement for many keelboat racing clubs, as was the case for the race on 1 October 2022. The Cowes Corinthian Yacht Club had a committee boat on the water, but it was neither acting as a safety boat nor equipped to fulfil the role.

There was no set standard for the use of a safety boat for keelboat sailing. On managing safety in the water, the RYA Sailability guidance for keelboats stated that procedures could allow for operation:

- *with a dedicated rescue boat capable of carrying the entire crew*
- *or independent of a safety boat, if it is unlikely to be knocked down or capsize under normal operation.*

The RYA's guidance provided a useful flow diagram to help managers determine whether safety boat cover was required. Ultimately, the decision to deploy a safety boat rested on whether the vessel was equipped with an engine to enable recovery to base in the event of adverse weather, gear failure or injury.

1.10 SOLENT AND SOUTHERN HARBOUR MASTERS ASSOCIATION

The Solent and Southern Harbour Masters Association (SASHMA) comprised 33 harbour masters of the ports and harbours lying within the Solent, central south coast of England and Channel Islands. The association produced guidelines for the use of Licensing Authorities under Section 94 of the Public Health Acts Amendment Act 1907 (as amended) or harbour byelaws. The guidelines concerned the safety of craft and their passengers and were limited to vessels carrying no more than 12

passengers that did not go beyond MCA Merchant Shipping Notice (MSN) 1837 Category D waters[8], defined as *Tidal rivers and estuaries where the significant wave height could not be expected to exceed 2.0 metres at any time*. Such waters were *not regarded as "sea"*.

The SASHMA guidelines drew upon several codes of practice for small commercial vessels and workboats[9]. It stated that owners of pleasure vessels as defined in the codes were exempt from the codes, although owners of such vessels that did not go to sea and carried up to 12 passengers for hire or reward should be licensed by the local authority if it chose to do so under Section 94 of the Public Health Acts Amendment Act 1907 (as amended) and the Inland Waters Small Passenger Boat Code.

1.11 THE ISLE OF WIGHT COUNCIL

The Isle of Wight Council had authority under the Local Government, Planning and Land Act 1980 and the Public Health Acts Amendment Act 1907 to license pleasure boats and pleasure vessels used for hire to the public or for carrying passengers for hire.

Pleasure vessels

The Isle of Wight Council defined a licensable pleasure vessel/boat as a vessel operating in the UK that:

- did not go to sea;
- carried no more than 12 passengers;
- was let for hire;
- was used for carrying passengers for hire.

Pleasure vessels were further subdivided as skippered – operating commercially with a skipper or crew and carrying no more than 12 passengers; or bareboat – self-drive hire craft with no skipper or crew provided.

The ACF had not contacted the local authority licensing department because the charity had determined that, under subsection (b) below, it was operating as a pleasure vessel, defined in *The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998* as:

> *(a) any vessel which at the time it is being used is:*
>
> > *(aa) in the case of a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or*

[8] MSN 1837 (M) confirmed Category D waters as those inside the Isle of Wight within an area bounded by the lines drawn between the church spire, West Wittering, and Trinity Church. Bembridge, to the eastward and the Needles and Hurst Point to the westward.

[9] The Safety of Small Workboats and Pilot Boats (Brown Code); The Safety of Small Commercial Motor Vessels (Yellow Code); The Safety of Small Commercial Sailing Vessels (Blue Code); and The Safety of Small Vessels in Commercial Use for Sport or Pleasure Operating from a Nominated Departure Point (Red Code).

(bb) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and

(ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or

(b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club; and

(c) in the case of any vessel referred to in paragraphs (a) or (b) above no other payments are made by or on behalf of users of the vessel, other than by the owner.

The Isle of Wight Council had previously been contacted by a charitable organisation similar in operation to the ACF and, while the licensing department had determined that licensing was not applicable, the charity was advised that this did not *negate the need for relevant risk assessments, safety checks and appropriate persons to operate the vessels that represent* [redacted] *to be completed and compliant, however this was not for the Isle of Wight Council to ensure that these advisory points are met*.

1.12 THE CHARITY COMMISSION FOR ENGLAND AND WALES

As a registered charity the ACF was subject to the oversight of the Charity Commission for England and Wales. The Charity Commission was an independent, non-ministerial government department responsible for maintaining the charity register and regulating charities in England and Wales. The purpose of the Charity Commission was:

to ensure charity can thrive and inspire trust so that people can improve lives and strengthen society.

The Charity Commission maintained a register of eligible organisations that were established for charitable purposes. The commission's regulatory responsibilities included taking enforcement action after malpractice or misconduct and ensuring charities met their legal requirements. The regulatory responsibilities did not extend to oversight of the activities or services provided by charities. The Charity Commission also provided guidance and made public appropriate information about its registered charities.

The enormous range of charitable activity undertaken across England and Wales made it impractical for the Charity Commission to be expert in each activity so it relied upon the proficiency of an individual charity's trustees to make sure the charity delivered to its stated purpose. This included the requirement to manage risk, follow good practice guidance and legislation relevant to the operation, and maintain and regularly review the risk register.

1.12.1 Corrective actions

Following the accident the ACF immediately ceased sailing activity, notified the Charity Commission and initiated a review into its processes, organisation, training and documentation.

1.13 THE ROLE OF THE MARITIME AND COASTGUARD AGENCY

The MCA required vessels in commercial use for sport and pleasure, up to 24m in length, that operated at sea to be certified in line with Marine Guidance Note 280 (M)[10]. The operation of a vessel in categorised waters i.e. not at sea, and as pleasure vessels meant no MCA regulatory oversight was applicable.

1.14 PERSONAL FLOTATION DEVICE

Elizabeth had been informed of the importance of a correctly worn PFD and had received advice on how to select an appropriate one. When she entered the water, she was wearing an in-date auto-inflate PFD rated to a buoyancy of 150N, with the crotch strap in place and secure. The PFD was fitted with a lifting becket but no spray hood. The PFD conformed with the appropriate standard[11] and was designed to fit a maximum chest circumference of 155cm, which was greater than hers.

The owner's handbook for the device stated that once donned, and with the front buckle fastened, the waist belt should be adjusted by pulling *the side webbing backwards for a close secure fit*. The RNLI's website offered advice on the correct fitting of a lifejacket, guiding that the correct adjustment was achieved when the wearer's fist could be placed behind the buckle with no further gaps between the fist and body. It is unknown how tight Elizabeth's lifejacket was when worn, though the waist belt was found to have a circumference of 55 inches (132cm) when measured post-accident and was comfortably inside the maximum adjustment available.

Elizabeth's physical measurements were within the ISO requirement, which stipulated buoyancy of 150N for people who weighed more than 70kg and adjustment slippage of less than 25mm for fastenings. A 150N device is sufficient to provide buoyancy for 15kg of weight in water. Elizabeth's weight in water was approximately 6.5kg, plus an estimated 5kg of clothing.

ISO 12402-9-2006[12] indicated that the device must be tested on males and females taller than 1700mm and weighing more than 120kg (+/- 5% of manufacturer's highest body mass). The specification stipulated that:

> *1.a As tested in swimming attire (when fully inflated if inflatable) the device is capable of turning an unconscious swimmer into a position with the mouth and nose clear of the water. It is intended to maintain a fully clothed user in this position without active participation.*

[10] Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats – Alternative Construction Standards.

[11] International Organization for Standardization (ISO) 12402-3:2006 Amendment 1: 2010 Personal flotation devices – Part 3: Lifejackets, performance level 150 – Safety requirements.

[12] Personal flotation devices – Part 9: Test methods.

The PFD's crotch strap was provided to prevent the device riding up when deployed in water. The crotch strap was not part of the lifting arrangements for the device, which relied on the design of the waist belt and harness to enable the wearer to be lifted from the water.

1.15 COLD WATER IMMERSION

Sudden immersion in water temperatures of less than 15°C can be considered in four stages:

Cold water shock is an immediate reaction that takes place within 2 minutes of entering the water and is associated with a gasp reflex hyperventilation and a rapid increase in heart rate and blood pressure as the person encounters the cold water. If the head goes underwater during this stage, the inability to hold one's breath will often lead to water entering the lungs in sufficient quantities to cause death. The increased heart rate and blood pressure can result in cardiac arrest, especially if the casualty has an existing cardiovascular condition. Panic can cause hyperventilation to continue even after the initial physiological effects have subsided.

Cold incapacitation usually occurs within 2 to 15 minutes of entering the water. The blood vessels become constricted as the body tries to preserve heat and protect vital organs. This results in the blood flow to the extremities being restricted, causing cooling and consequent deterioration in the functioning of muscles and nerve ends. Useful movement is lost initially in the hands and feet, progressively leading to the incapacitation of arms and legs. Unless an effective lifejacket is worn, death by drowning occurs as a result of impaired swimming.

Hypothermia onsets when the human body's core temperature drops below 35°C (it is normally about 37°C), which can occur after 30 minutes. Symptoms of moderate hypothermia, when the body's temperature is between 28°C and 32°C, include inattention, confusion, difficulty moving and loss of coordination. Loss of consciousness is associated with severe hypothermia, when the body's temperature drops below 28°C. The body's core temperature can continue to drop even after the casualty has been recovered from the water if the rewarming efforts are ineffective.

Circumrescue collapse can occur just before, during or after rescue due to a variety of mechanisms that result in unconsciousness or death. Collapse just before rescue can occur when a casualty relaxes mentally, resulting, among other things, in a sudden drop of stress hormones that could lead to a drop in blood pressure.

1.16 PERSON OVERBOARD RECOVERY

The recovery of a person from the water involved identifying that a crew member has entered the water and raising the alarm; repositioning the vessel to execute their recovery; and the recovery of the person back on board the vessel or to another place of safety.

The general advice was that a call for assistance should always be made when a person went overboard in UK waters given the conditions associated with sailing in the UK and the relative proximity of help.

Several boat handling methods were available dependent on the environmental conditions and relative point of sailing. Different methodologies also existed for windward or leeward recovery options.

Prompt recovery of a person from the water was important to prevent further complications due to water ingestion, hypothermia and the increased risk of circumrescue collapse. The RYA advice was that the casualty should remain horizontal while being lifted from the water or that their legs should be higher than their head to help prevent a heart attack.

1.16.1 Recovery methods

The RYA website suggested several methods to bring a person back on board such as purchase tackles, lifting strops, swimming platforms, liferafts, boarding ladders or recovery nets, and davits. Whatever system was chosen, the RYA was explicit that it was necessary to have a plan and to exercise it.

The RYA's preferred solution for incidences with a high likelihood of someone entering the water was for organisers to use a dedicated, suitably equipped safety boat carrying a crew trained to deploy a recovery net or deflate a sponson to haul a person on board.

1.17 SIMILAR ACCIDENTS

1.17.1 *Wahoo* – fatal person overboard

A student attending a Professional Crew and Skipper Training course at the UK Sailing Academy (UKSA) fell from the Etchells 22 keelboat *Wahoo* while sailing with two other students off Yarmouth, Isle of Wight (MAIB report 2/2000[13]). The boat had gybed accidentally and the student, who was of very large build, was unable to get out of the way of the boom which knocked him overboard.

Two instructors who were accompanying the sailing boat in a diesel launch were unable to recover the student from the water and he quickly became unconscious. After 24 minutes in the water the student was airlifted to hospital where, despite extensive efforts to resuscitate him in the water and in the aircraft, he was eventually declared deceased.

The investigation found that the UKSA's safety management was deficient because it did not fully assess or minimise the risks associated with the student's involvement in the activity or foresee the difficulties in recovering the student from the water.

[13] https://www.gov.uk/maib-reports/person-overboard-from-keelboat-wahoo-off-yarmouth-isle-of-wight-england-with-loss-of-1-life

SECTION 2 – ANALYSIS

2.1 AIM

The purpose of the analysis is to determine the contributory causes and circumstances of the accident as a basis for making recommendations to prevent similar accidents occurring in the future.

2.2 OVERVIEW

At approximately 1336 on 1 October 2022, Elizabeth Wood fell overboard from an ACF Sonar keelboat off Cowes, Isle of Wight, England and subsequently drowned. She was in the water for over 20 minutes and had lost consciousness before she was recovered and, despite being administered first aid, she could not be revived.

This section of the report will assess the circumstances of the accident, the quality of risk assessment, equipment worn, provision of timely rescue services and the oversight of charitable sailing activities for adults in the UK.

2.3 THE ACCIDENT

It is unknown exactly how Elizabeth fell overboard from *Limbltless* but her probable positioning as the spinnaker was hoisted put her at risk of toppling due to her postural instability. Elizabeth was most likely using both hands to launch the spinnaker to ensure it cleared the mainsail boom and shrouds **(**see **Figure 3)** and this would have limited her ability to steady herself if required. Participants had raised the issue of the suitability of the Sonar keelboat to meet Elizabeth's needs and the dock test had identified a risk of postural instability. Although Elizabeth was required to remain within the cockpit to prevent her falling overboard, no other means of fall prevention, such as a safety line or tether, had been proposed.

While immersion in water temperatures of less than 15°C will induce a gasp reflex causing involuntary ingestion of water sufficient to initiate drowning, the 16°C seawater temperature was above the threshold generally associated with this response. However, a gasp reflex cannot be discounted as an individual's physiological reaction to immersion will depend on environmental conditions, their self-preparedness and their clothing. Elizabeth had been confident in the water in her youth, but it is unknown how she reacted to unexpectedly finding herself in the water, whether she had practised what to do in such circumstances, or was habituated to cold water immersion, for example through regular swimming.

2.4 EQUIPMENT WORN

Elizabeth was wearing an in-date, functional PFD with sufficient buoyancy and she was aware of the need to wear it correctly. She had chosen the device because it was comfortable to wear and appropriate for her activities. She had received advice on how to select a PFD but had not had the fit professionally assessed to check its suitability for her physiology. The PFD was not fitted with a spray hood, deployment of which would have reduced the likelihood of her ingesting seawater while awaiting recovery.

It has not been possible to determine if Elizabeth had tested the in-water functionality or fit of the PFD when inflated at any time before the accident and the investigation has been unable to replicate the way it would have performed during her time in the water.

Elizabeth had secured her PFD crotch strap and witness evidence indicated that there was sufficient movement available in the fit of the PFD to allow it to move about her body during her extended recovery. It is recognised that the bodily movement and physical activity required to sail *LimbItless* was likely easier for Elizabeth when the PFD was not secured tightly about her person. It has not been possible to determine if, having entered the water, she was aware of the need, or was able, to adjust the fit, for example by tightening the crotch strap to minimise the PFD's movement about her person.

A small amount of movement in Elizabeth's PFD would have been sufficient to allow the PFD's stole to rise around her head and this, coupled with the absence of a spray hood, meant that further ingestion of seawater could have occurred after her initial immersion and during recovery. Whatever the circumstances of unanticipated immersion, a well-fitted and suitable PFD that keeps the person's mouth clear of the water is essential to allowing them to cough out any ingested water. Thereafter, early recovery helps mitigate the risk of further water ingestion due to wave wash over or splashing.

2.5 RECOVERY

2.5.1 Recovery method

Elizabeth was unable to self-recover to *LimbItless* due to the vessel's freeboard and she became increasingly less able to assist with her recovery as her physical condition deteriorated. She was eventually recovered from the water when sufficient people were present to physically pull her back on board *LimbItless*. The skipper and two other volunteer crew members lacked the combined strength to recover Elizabeth when *LimbItless* first returned alongside her due to the height of the keelboat's freeboard. Neither did they have an appropriate device to assist them, such as a recovery net or hoist, nor access to a suitably equipped and manned safety boat that would have relieved them of the responsibility. Had an ACF safety boat been in attendance, it is likely the occupants would have been qualified to RYA Level 2 Powerboat Handling and would not have had the necessary training, skills, equipment or experience to effect Elizabeth's immediate recovery. Only when additional personnel from the responding *HM1* and the RIBs boarded *LimbItless* was there sufficient physical resource to pull Elizabeth from the water.

On 1 October 2022, *LimbItless* was sailing without there being an effective means of recovering Elizabeth from the water rapidly enough to assure, to the best extent possible, she survived her unintended immersion.

2.5.2 Person overboard training

ACF members had discussed the actions to be taken in the event of a person entering the water, but these were neither regularly exercised nor did they form part of a standard pre-sailing briefing where the specific requirements of the participating individuals could be identified and addressed. Participants who held the RYA Level 2 Powerboat Handling qualification had completed recovery drills in a RIB as part of

that training, but the scenarios used lacked realism in the context of ACF's activities. Typically, and in line with RYA guidance[14], training course exercises were conducted using a small fender instead of a more representative weighted mannequin.

A review of the ACF's training drills and documentation, the recording of individuals' requirements and abilities, and the incorporation of this information into pre-sailing briefings, would allow a focused approach to keeping sailors safe on the water. This review should include positively identifying the method of recovery from the water for each individual, especially participants with specific physical disabilities. Everyone on board *LimbItless* would have benefited from a requirement for rescue boats, rescue apparatus or additional people to be available to respond to such an event.

2.6 ANDREW CASSELL FOUNDATION RISK ASSESSMENT AND SAFETY MANAGEMENT

Sailing carries the inherent risk of participants entering the water, either by design or accident, regardless of their skill level or experience. ACP had a duty of care to its participants, which it delivered through its risk management plan. ACF risk assessments had been written so there had been some consideration of risk. For example, the ACF SOP dated 1 July 2022 required participants to always wear a PFD when afloat. However, the risk assessments did not consider individual requirements nor how to recover a person from the water in an appropriate and timely manner.

2.6.1 Individual risk assessments

Personal information about an individual's capabilities and impairments was collected via the ACF Stack Team App. This was further explored through an interview with the director and subsequent dock test on board a keelboat alongside a pontoon. The ACF dock test provided a basic assessment of an individual's capabilities and needs within the boat.

Elizabeth's dock test identified that postural stability was a challenge that increased the risk of her entering the water. For Elizabeth, it elicited a requirement for her to remain within the cockpit of a keelboat when at sea. However, it did not consider other mitigations such as the wearing of a safety line or tether to prevent her falling overboard. The use of a safety tether might have provided an appropriate barrier to Elizabeth falling overboard while still allowing her to move around the cockpit with minimum impediment and no reduction in her enjoyment of sailing.

The ACF's dock test was partially successful in tailoring Elizabeth's sailing experience to her needs but it did not extend to considering measures that could be put in place to help prevent her falling overboard or how to recover her if she did.

2.6.2 Recovery from the water

The Sonar keelboat delivered good stability and a large cockpit, two of the reasons it was chosen for Paralympic sailing. The vessel's suitability as a platform to support Elizabeth in her sailing had been questioned by other volunteers, with the decision made that it provided a suitable platform as it was less likely to capsize than a

[14] See RYA Training Guidance TG 05-23: MOB Call to Action, issued July 2023.

dinghy. The keelboat's deep cockpit also offered a more contained environment than that of many yachts, which Elizabeth might have encountered if directed to sail elsewhere.

The inherent stability of keelboats meant that, unlike dinghies, support boats or safety boats were not routinely deployed during racing activities other than to provide coaching during training events. The RYA keelboat flow diagram indicated that the presence of a safety boat was recommended when there was a risk the keelboat could not return to a safe haven, either due to weather or engine failure.

A thorough task analysis of a person overboard event would have enabled the ACF to better understand the potential risks and challenges of recovering someone from the water. While the crew of a keelboat could successfully carry out a basic training drill to recover a marker buoy, had a drill been conducted using a weighted mannequin the challenges of recovering it back on board a keelboat would have been evident. Sufficient adequately trained crew and a suitable means of hoisting an unconscious person from the water would have been required, without which external assistance would be essential.

Had ACF carried out a thorough task analysis of a person overboard event it would likely have concluded that dedicated safety boat cover was required whenever keelboat sailing with ACF participants was being conducted.

2.6.3 Employment of a safety boat

During this accident, the absence of a dedicated, properly equipped and crewed safety boat delayed the removal of the crew member from the water.

The ACF was reliant on the loan of a RIB and the availability of qualified volunteers at the helm and had taken steps to qualify its volunteers to RYA Level 2 Powerboat Handling standard. However, additional training and experience were necessary to qualify crew to the RYA Safety Boat standard that would equip them with the skills and knowledge required for fleet rescue and small craft assistance.

Following the accident the ACF obtained a RIB for its sole use and equipped it with recovery nets. Operating procedures were also revised such that the RIB could be deployed when required by the risk assessment for an individual crew member, recognising that this need not be every time an ACF Sonar keelboat was afloat, but was driven strictly by the requirements and capabilities of the volunteers and crew on board.

2.6.4 Use of the spinnaker

Elizabeth and the other crew members were familiar with the use of the spinnaker but had not practised its deployment before the start of the race. The wind forecast was for gusts up to 20kts with the potential for stronger gusts locally and, under the ACF SOPs, permission to launch was not permitted if wind greater than 25kts and use the spinnaker required authorisation by the director if the wind gusts were above 25kts.

The director's role as skipper of *Limbltless* for the race meant that there was no third-party oversight of individual participants' abilities or to approve sailing in forecast weather conditions that were close to the operating limits.

On 1 October 2022, a third-party authority might have endorsed the skipper's decisions based on their own assessment of the skipper's experience and the prevailing circumstances and weather conditions. However, the process of seeking and granting approval could have prompted extra consideration of the participants' capabilities, pertinent risk assessments and prevailing weather conditions.

2.6.5 Summary

The absence of a detailed ACF risk assessment for individual participants was a missed opportunity to consider methods of recovery from the water, training of volunteers or the deployment of a safety boat. The ACF did not deploy its own safety boat and neither did the race organisers consider it necessary or appropriate to do so. On 1 October 2022, the lack of a dedicated safety boat with appropriately qualified crew resulted in reliance on external assistance. In this case, the attending boats were not adequately equipped and the crews insufficiently experienced in the recovery from the water of people with additional needs to deliver an effective rescue.

The ACF did not maintain a suitably qualified person ashore to oversee the charity's activities during racing or training events, and to assess and approve them in line with the organisation's risk assessments and procedures.

The weaknesses in the ACF's inadequate risk assessments were likely due to insufficient expertise and resource allocated to the task. The ACF depended on participants and trustees to assess whether its risk assessments and mitigation measures were sufficient for it to deliver a safe operation and had not identified that they were insufficiently experienced or qualified to provide that assurance.

2.7 OVERSIGHT OF CHARITABLE SAILING ACTIVITIES IN THE UK

The Charity Commission had a statutory obligation to ensure trustees complied with their legal obligations in managing charities, and to promote public trust and confidence in charities. The ACF's trustees were accountable to the Charity Commission for the running and organisation of their charity, and the chief executive provided assurance to the trustees that the day-to-day activities of the trust were conducted in a safe manner. The Charity Commission's assurance relied wholly upon ACF's self-declaration of good governance but, as with other charities, it had no mechanisms to ensure that ACF was competent to safely deliver the charitable activity listed in its governing document.

The local SHAs were interested in organised racing within their authority's areas where the activities had the potential to directly or indirectly affect the safety of other water users. To the large part, the SHAs secured the assurance they required from the risk assessments supplied to them by CCCA and SCRA. For their part, CCCA and SCRA sought assurance by requiring skippers to be responsible for the safety of their vessels and their crews. None of the SHAs, CCCA or SCRA looked beyond the levels of assurance they needed for their own purposes and had no interest in the way the ACF managed the safety of its participants.

The national governing body for sailing, the RYA, provided a degree of assistance to organisations affiliated to the RYA Sailability scheme but it did not provide any oversight of charitable sailing activities unless the charity concerned was also delivering RYA approved training as an RTC.

The ACF had interpreted its activities as falling within the definition of a 'Pleasure Vessel', as defined in *The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998*. The trustees therefore considered that the ACF's activities were exempt from the oversight applicable to commercial operations and so did not apply to the local council for a licence to operate. The Isle of Wight Council had previously reviewed whether it should licence a similar charitable activity and had concluded that its activities fell out with the council's definition of a licensable pleasure craft. It cannot be known, but is likely, that had the ACF applied to the Isle of Wight Council for a licence it would have been told that none was required. However, when first considering the matter, the council had recognised the need for effective safety management and had advised the charity concerned accordingly (see section 1.11).

The absence of third-party oversight and assurance of charitable activities involving vulnerable or impaired individuals is of concern. Had the ACF been required to operate a formal safety management system that was subject to inspection, the chief executive and trustees might have realised the limitations of their experience and sought appropriate expertise. This, in turn, ought to have identified that a vulnerable person falling overboard was a foreseeable risk for which full and proper mitigations and responses were required.

It is unfortunate that the regulatory definition of 'Pleasure Vessel' is open to a wide degree of interpretation that enables charities the apparent discretion to decide whether their activities are commercial, and therefore subject to regulation. The lack of independent oversight evident in this case indicates that approving and licencing authorities would benefit from guidance from the marine regulator on when an activity, particularly one involving impaired or disabled people, should be subject to licensing and oversight.

SECTION 3 – CONCLUSIONS

3.1 SAFETY ISSUES DIRECTLY CONTRIBUTING TO THE ACCIDENT THAT HAVE BEEN ADDRESSED OR RESULTED IN RECOMMENDATIONS

1. It is unknown exactly how Elizabeth fell overboard from *LimbItless* but her probable positioning as the spinnaker was hoisted put her at risk of toppling due to her postural instability. Elizabeth was most likely using both hands to launch the spinnaker to ensure it cleared the mainsail boom and this would have limited her ability to steady herself if required. [2.3]

2. A small amount of movement in Elizabeth's PFD would have been sufficient to allow the PFD's stole to rise around her head and this, coupled with the absence of a spray hood, meant that further ingestion of seawater could have occurred after her initial immersion and during recovery. Whatever the circumstances of unanticipated immersion, a well-fitted and suitable PFD that keeps the person's mouth clear of the water is essential to allowing them to cough out any ingested water. [2.3]

3. On 1 October 2022, *LimbItless* was sailing without there being an effective means of recovering Elizabeth from the water rapidly enough to assure, to the best extent possible, she survived her unintended immersion. [2.4].

4. A review of the ACF's training drills and documentation, the recording of individuals' requirements and abilities, and the incorporation of this information into pre-sailing briefings, would allow a focused approach to keeping sailors safe on the water. This review should include positively identifying the method of recovery from the water for each individual, especially participants with specific physical disabilities. [2.5.2]

5. The ACF's dock test was partially successful in tailoring Elizabeth's sailing experience to her needs but it did not extend to considering measures that could be put in place to help prevent her falling overboard or how to recover her if she did. [2.6.1]

6. Had the ACF carried out a thorough task analysis of a person overboard event it would likely have concluded that dedicated safety boat cover was required whenever keelboat sailing with ACF participants was being conducted. [2.6.2]

7. The ACF was reliant on the loan of a RIB and the availability of qualified volunteers at the helm and had taken steps to qualify its volunteers to RYA Level 2 Powerboat Handling standard. However, additional training and experience were necessary to qualify crew to the RYA Safety Boat standard that would equip them with the skills and knowledge required for fleet rescue and small craft assistance. [2.6.3]

8. On 1 October 2022, a third-party authority might have endorsed the skipper's decisions based on their own assessment of the skipper's experience and the prevailing circumstances and weather conditions. However, the process of seeking and granting approval could have prompted extra consideration of the participants' capabilities, pertinent risk assessments and prevailing weather conditions. [2.6.4]

9. The weaknesses in the ACF's risk assessments were likely due to insufficient expertise and resource allocated to the task. The ACF depended on participants and trustees to assess whether its risk assessments and mitigation measures were sufficient for it to deliver a safe operation and had not identified that they were insufficiently experienced or qualified to provide that assurance. [2.6.5]

3.2 SAFETY ISSUES NOT DIRECTLY CONTRIBUTING TO THE ACCIDENT THAT HAVE BEEN ADDRESSED OR RESULTED IN RECOMMENDATIONS

1. The absence of third-party oversight and assurance of charitable activities involving vulnerable or impaired individuals and charities is of concern. Had the ACF been required to operate a formal safety management system that was subject to inspection, the chief executive and trustees might have realised the limitations of their experience and sought appropriate expertise. [2.7]

2. It is unfortunate that the regulatory definition of the term 'Pleasure Vessel' is open to a wide degree of interpretation that enables charities the apparent discretion to decide whether their activities are commercial, and therefore subject to regulation. The lack of independent oversight evident in this case indicates that approving and licensing authorities would benefit from guidance from the marine regulator on when an activity, particularly one involving impaired or disabled people, should be subject to licensing and oversight. [2.7]

SECTION 4 – ACTION TAKEN

4.1 MAIB ACTIONS

The **MAIB** has:

- On 9 May 2023, convened a meeting with representatives of the Royal Yachting Association, the Maritime and Coastguard Agency, the Local Government Association and its Coastal Special Interest Group, and the Activity Alliance to consider this accident.

- Published a report (14/2024[15]) on the investigation of the capsize of recreational craft *Wheelyboat 123* on 8 June 2022 with the loss of two lives, that recommended the Local Government Association to:

2024/138 *Bring the report and safety issues to the attention of local authorities and to consider the role of local government in overseeing waterborne charitable activities.*

The Deputy Chief Inspector of Marine Accidents also wrote to the relevant local authority to request that it consider its role in the oversight of activities involving disabled people within its area of responsibility.

4.2 ACTIONS TAKEN BY OTHER ORGANISATIONS

The **Andrew Cassell Foundation** has:

- Revised and updated all onboarding and training documentation and instigated bespoke risk assessments for its beneficiaries.

- Undertaken an extensive review of suitable methods to facilitate recovery from the water and commissioned several recovery nets for use on RIBs and Sonar keelboats.

- Purchased a bespoke ACF RIB equipped with a recovery net.

- Joined the RYA Sailability programme and sought advice from its ‘critical friend’ service.

- Reallocated responsibilities among trustees to allow the director more time to concentrate on sailing operations.

[15] https://www.gov.uk/maib-reports/capsize-of-recreational-craft-wheelyboat-123-with-the-loss-of-2-lives

SECTION 5 – RECOMMENDATIONS

The **Maritime and Coastguard Agency** is recommended to:

2025/112 Review the definition of the term 'Pleasure Vessel' to clarify that vessels operated by organisations and charities to take vulnerable adults and children afloat do not fall within the scope of that definition.

The **Local Government Association Coastal Special Interest Group** is recommended to:

2025/113 Bring this report to the attention of local authorities and invite them to consider oversight of waterborne charitable activities within their jurisdictions.

Safety recommendations shall in no case create a presumption of blame or liability

Annex A

Extract from the Andrew Cassell Foundation Standard Operating Procedures

Image courtesy of Andrew Cassell Foundation

ACF
Standard Operating Procedures (SOPs)

Version	3
Author	[redacted]
Author's title	Director / Project Manager
Date	1st July 2022
Agreed by Trustees	
Trustee Confirmation Date	

Telephone No.: +44 (0) 7773 773320 | Email Address: info@acfsailing.org | Website: www.acfsailing.org
Registered Charity No.: 1057742

Image courtesy of Andrew Cassell Foundation

Standard Operating Procedures (SOPs)

Table of Contents

Annexes

Image courtesy of Andrew Cassell Foundation

1. Introduction. Welcome to the Andrew Cassell Foundation (ACF) (Racing for the Disabled). The charity is only as good as its members / beneficiaries and every single one of them is important to the charity.

The stated objective of the ACF is as follows:

> "The relief of disabled people through the provision of sailing or related sailing facilities, instruction and experience in sailing and seamanship for such persons alongside able bodied persons who may or may not be experienced sailors thereby bringing disabled persons and able bodied persons into closer contact."

All members are responsible for ensuring adherence to the objective and compliance with these SOPs. Spot checks may be made at any time. The ACF will ensure that boats are equipped to comply with statutory requirements. Inventories and safety gear must be checked by members prior to departure for signs of damage or missing items and rectified or reported to the ACF. Skippers / helms are responsible at all times for compliance with SOPs and statutory requirements, particularly concerning areas of operation, safe manning levels and keeping a safe navigational watch.

2. Contact Information.

Title	Name	Role	Contact No.	Email
Director	[redacted]	Responsible for ACF Events	[redacted]	[redacted]
Bosun & Ops Manager	[redacted]	Responsible for the operation of the ACF and affiliated boats	[redacted]	[redacted]
Marketing Manager	[redacted]	Responsible for promotion of ACF and ACF Events	[redacted]	[redacted]
Ops Manager	[redacted]	Responsible for accounting and internal administrative requirements	Tbc	Tbc

3. Boats. The following boats are used by the ACF to meet its objective and owned as follows:

Boat Name	Boat Type	Owned By	Insured By
ACF Dolphin	Sonar	ACF	ACF
ACF Spare Part	Sonar	ACF	ACF
ACF Limbitless	Sonar	ACF	ACF

Other boats chartered in as required, shall be covered by their own insurance for the duration of the charter. If a boat is loaned by a private owner free of charge, then the boat must be added to ACF's insurance policy prior to use.

4. Areas of Operation and Weather States. In accordance with the Solent and Southern Harbour Masters Association, the following apply:

District	Category A / B / C Waters	Category D Waters
Cowes, Isle of Wight (IOW)	The River Medina within a line from the Breakwater Light on the east bank to the Watch House Light on the west bank.	Inside the IOW within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward and the Needles and Hurst Point to the westward.

Rough Weather – Sea State 4 (Wave height 1.2 to 2.5m)
Very Rough Weather – Sea State 5 (Wave height 2.5 to 4m or more)

Other areas of operation will be considered, for specific events lead by ACF Director.

5. Operating Conditions. Skippers are to seek the advice of the Director if conditions are for Rough Weather. No boat is to sail in Very Rough Weather. (See Crane Operation for more information).

6. Operating Limits. No boat is to launch in above 25 kts of average wind strength (registered from Bramble Bank, or if not working from equivalent wind sources), also No boat is to use a spinnaker above gusts of 25 kts without permission from Director. If a skipper is unsure of the conditions, they are to seek the advice of the Director.

7. Age. All skippers must be aged 18 years or over. Volunteers and members may be under 18 but not less than 13 years old. See para 12.

8. Crew Numbers. All Sonars shall be crewed by not more than 5 and not less than 3 people at any time.

9. Legal Responsibilities. The skipper has a 'duty of care' in common law towards the crew. This means that he or she is responsible for their safety and well-being at all times.

10. Crane Operation. Only individuals who are CCYC Members and have been trained to use the Cowes Corinthian Yacht Club (CCYC) cranes by the CCYC Bosun or relevant team may do so. A register is to be kept of all individuals who have completed this training at CCYC.

Authorized Crane operators are expected to keep up to date with any changes and policy updates via the CCYC website and their membership.

ACF or Chartered/Loaned boats must not be launched or recovered without the authorization of the ACF Officer off the Day ('ACF OOD'), default ACF OOD is the Director unless stated in the duty section of the app.

11. Consumption of alcohol. No alcohol is to be consumed when operating the boats or equipment eg. Cranes, including when on top of the boats on the hard and ladders.

12. Working with children. Anyone under 18 is a Child. Anyone undertaking a sailing event where a child is present must adhere to the Safeguarding policy. A copy of this is available from the Director / Ops Manager. Anyone undertaking an event with a child must have in place the relevant DBS check as outlined in the policy. All suspicions and allegations shall be reported to the Safeguarding Officer (Director). Any queries over policy should be raised with the Safeguarding Officer.

13. Equal Opportunities. All individuals have a right to be treated with courtesy and respect. Anyone found not adhering to this will be asked not to return.

14. Volunteer Agreement (VA). All volunteers must sign the VA at Annex A.

15. Accidents and Emergencies. Any accident, dangerous occurrence or hazardous incident should be reported to the Director by the quickest means available. Skippers should also be aware that a report may need to be completed for the Marine Accidents Investigation Board (MAIB). Accident / incident reporting forms are provided at Annex B.

15.1. **Immediate Action**. The skipper in charge of a vessel involved in any incident or injury to any person or persons or damage to any vessel shall take action as deemed necessary to minimise risk or further injury or damage to any person or property involved. This action shall include; the administration of first aid, the co-opting of any properly qualified person to assist in this and the calling for assistance from any statutory body or official aid agency. In making these decisions, the welfare of the whole crew shall be considered.

15.2. **Follow Up Action**. In the event of an accident involving injury or damage to property, the following procedures must be followed:

15.2.1. Treatment and care of any injured person must be given primary concern.

15.2.2. A verbal report must be made to the Director as soon as possible.

15.2.3. A detailed written report using the Accident / Incident Report Form must be made to the Director not more than 24 hours after the incident.

15.3. **Damage to property or vessels**. All damages or losses shall be reported to the Bosun or Director at the earliest opportunity. If other people were involved, take details including names and contact numbers. Take pictures where possible. A detailed written report using the Accident / Incident Report Form must be made to the Director not more than 24 hours after the incident.

15.4. **Near Miss Reporting**. Skippers should inform the Director of any incidents that did not on this occasion cause death, injury or damage, but had the potential to do so. This reporting is extremely important as it will reduce the chances of any future near misses becoming real incidents and allows us to review our procedures.

16. Boat Return. Individuals skippering boats must complete a Boat Return Form (Annex C) at the end of every period of use.

17. Sonar Inventory. A minimum inventory for each boat is at Annex D. All skippers are to ensure that this is checked at the start of every day and any discrepancies report to the Bosun or Director.

18. Sailing Events. The table below shows the type of events that the ACF will support. Where 'ACF' or 'Individual' is stated, it is the responsibility of each to organise that element of the event. ACF will always give support where requested provided plenty of notice is given. Semi independent and independent events will require a bareboat charter form and payment form to be completed (Annex E and F).

Type of Event	Dates	Skippers	Members Attendance	Volunteers Attendance (if required)	Boats	Rib Support (if required)	Coach Support (if required)
Run by ACF	ACF	ACF	ACF	ACF	ACF	ACF	ACF
Semi Independent	Individual	Individual / ACF	Individual / ACF	ACF	Individual	Individual	Individual
Independent	Individual	Individual	Individual	Individual	Individual	Individual	Individual

19. Wearing of Personal Flotation Devices (PFD). All members must wear a PFD at all times when afloat.

20. Smoking. There is to be no smoking on any of the vessels used by the ACF.

21. De-briefing. All skippers should ensure that every member has an opportunity at the end of each day to say how they are feeling and what they enjoyed. This is also an opportunity to highlight next steps to them.

22. Risk Statement. Rule 4 of the Racing Rules of Sailing states, 'The responsibility for a boat's decision to participate in a race or to continue racing is hers alone.' Sailing is by its nature an unpredictable sport and therefore inherently involves an element of risk. By taking part in an event, each competitor agrees and acknowledges that:

22.1. They are aware of the inherent element of risk involved in the sport and accept responsibility for the exposure of themselves, their crew and their boat to such inherent risk whilst taking part in the event;

22.2. They are responsible for the safety of themselves, their crew, their boat and their other property whether afloat or ashore;

22.3. They accept responsibility for any injury, damage or loss to the extent caused by their own actions or omissions;

22.4. Their boat is in good order, equipped to sail in the event and they are fit to participate;

22.5. The provision of a race management team, patrol boats and other officials and volunteers by the event organiser does not relieve them of their own responsibilities;

22.6. The provision of patrol boat cover is limited to such assistance, particularly in extreme weather conditions, as can be practically provided in the circumstances.

22.7. It is their responsibility to familiarise themselves with any risks specific to this venue or this event drawn to their attention in any rules and information produced for the venue or event and to attend any safety briefing held for the event.

23. Signing of SOPs. All individuals taking part in ACF events must sign Annex G to confirm that they have read and agreed to the SOPs.

23.1. This document may also be signed electronically via the link below;
https://eu.jotform.com/build/221812964530353

Image courtesy of Andrew Cassell Foundation

Annex A
To ACF SOPs
Dated 2 Dec 18

Andrew Cassell Foundation Volunteer Agreement

Volunteers are an important and valued part of the **Andrew Cassell Foundation**. We hope that you enjoy volunteering with us and feel a full part of our team.

This agreement tells you what you can expect from us, and what we hope from you. We aim to be flexible, so please let us know if you would like to make any changes and we will do our best.

We, the **Andrew Cassell Foundation**, will do our best:

- To introduce you to how the organisation works and your role in it and to provide any training you need. The initial training agreed is ……
- To provide regular meetings with your manager so that you can tell us if you are happy with how your work is organised and get feedback from us. Your manager's name is …….
- To respect your skills, dignity and individual wishes and to do our best to meet them.
- To consult with you and keep you informed of possible changes.
- To provide adequate insurance cover for volunteers whilst undertaking voluntary work approved and authorised by us.
- To provide a safe workplace.
- To apply our equal opportunities policy
- To try to resolve fairly any problems, grievances and difficulties you may have while you volunteer with us;

I, ……, agree:

- To help The Andrew Cassell Foundation fulfil its charitable objects;
- To perform my volunteering role to the best of my ability;
- To follow the organisation's procedures and standards, including health and safety and equal opportunities, in relation to its staff, volunteers and clients;
- To maintain the confidential information of the organisation and of its clients;
- To meet time commitments and standards agreed to and to give reasonable notice so other arrangements can be made when this is not possible;
- To provide referees as agreed who may be contacted, and to agree to a police check being carried out where necessary (DBS).

This agreement is binding in honour only, is not intended to be a legally binding contract between us and may be cancelled at any time at the discretion of either party. Neither of us intend any employment relationship to be created either now or at any time in the future.

Signed (volunteer)……Date……..

Signed (ACF)……Date……..

Date Cancelled……..

Image courtesy of Andrew Cassell Foundation

Annex B
To ACF SOPs
Dated 2 Dec 18

Andrew Cassell Foundation Accident Report Form

ACCIDENT / INCIDENT / NEAR MISS (delete as appropriate)

Date:	**Time:**
Location:	**Vessel:**
Skipper:	**Casualty:**
Weather (wind, sea state, visibility, precipitation):	**Tidal state (high water time and height, rate & direction of flow if applicable):**

What happened, personnel involved, and all actions taken subsequently:

Signed:…….. Date:…….

NB. Photographs should be taken and included if possible.

Image courtesy of Andrew Cassell Foundation

Annex C
To ACF SOPs
Dated 3 Dec 18

Andrew Cassell Foundation Boat Return Form

Return Date:	Boat Name:	Sail No:

Delete as appropriate

A. There were no defects or damage to this boat today.

B. The following defects / damage was found / caused:
(Give full description and draw any sketch overleaf)

Mainsail:
Spinnaker:
Jib:
Hull:
Mast and spars:
Fittings:
Other:

Signed by Skipper:	Name in BLOCK LETTERS:
Form received by:	Date:

Image courtesy of Andrew Cassell Foundation

Please report any defects / damage verbally to the ACF Bosun and return this form to the ACF Bosun within 24hrs.

==========

Office use only. Action required, comments and estimated cost of repair:

Image courtesy of Andrew Cassell Foundation

Annex D
To ACF SOPs
Dated 2 Dec 18

Andrew Cassell Foundation Sonar Inventory
(minimum requirement)

1 Mainsail
1 Jib
1 Spinnaker
2 Red handheld flares
2 Parachute flares
1 Emergency Procedure card to including description of Operating Limits and times
1 Solent Chart
1 VHF Radio
2 Paddles
1 First Aid Kit
1 Bilge pump (fixed and working)
1 Bucket
1 Signaling Torch
1 Throwing Line
1 Anchor and line
1 Hatch cover
1 Half hatch cover

Image courtesy of Andrew Cassell Foundation

Annex F
To ACF SOPs
Dated 3 Dec 18

Andrew Cassell Foundation Sonar Charter Payment
Andrew Cassell Foundation, Cowes, IOW,
Office: XXXX Mobile: [redacted] Email: [redacted]

Contact Details

Contact Name	
Phone Number	
Email	
For the event known as	
Booking Reference	

Payment Details

Total Charter Fees: £	50% of total charter fees: £
Balance to be paid by (date):	ACF Bank Details: *Andrew Cassell Foundation* Sort Code – *40-18-63* Account Number - *40019461* Reference (use Booking Reference) – *ACF Sonar*
Card Details for damage deposit / Cheque received (delete as appropriate) Credit / Debit Card No: Start date: Expiry date: Security no. from reverse (Last 3):	Issue number (if applicable): Postcode where the payment card bills arrive: House number:

This section will be stored securely and destroyed after all booking(s) have taken place.

Image courtesy of Andrew Cassell Foundation

Annex G
To ACF SOPs
Dated 3 Dec 18

Andrew Cassell Foundation SOP Compliance

I, _____(name) have read the SOPs and agree to comply with them.

Signature:

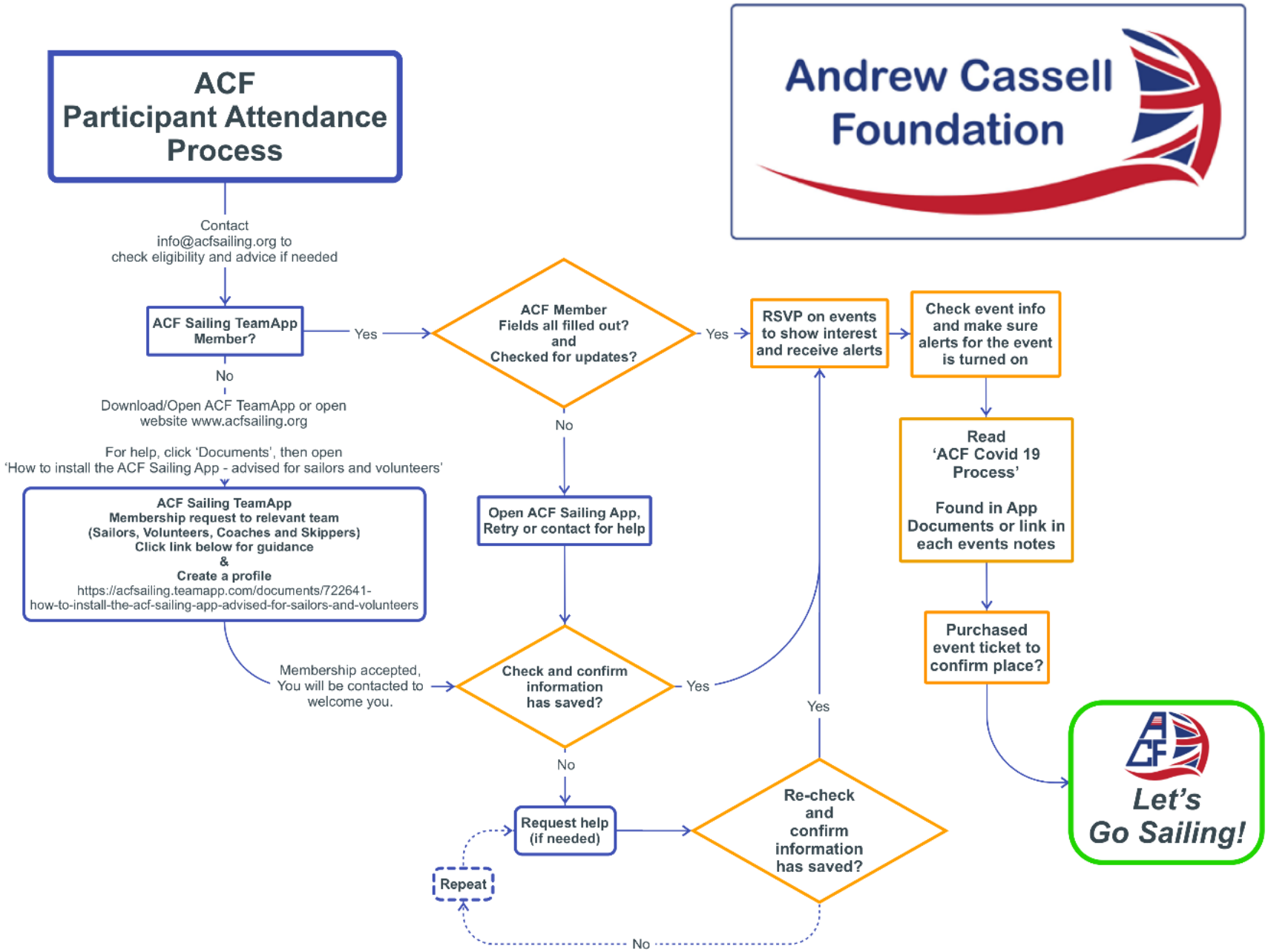
Date:

This document may also be signed electronically via the link below;
https://eu.jotform.com/build/221812964530353

Annex B

Andrew Cassell Foundation Particpant Attendance Process

Image courtesy of Andrew Cassell Foundation



Marine Accident Report