

## Rhib collision in Cardiff Bay leads to substantial fine

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A Cardiff sailing club and its chief instructor have been sentenced after failing to take

proper care of children on one of their courses.



Penarth Motor Boat and Sailing Club, trading as Cardiff Bay Yacht Club, has been fined £40,000 and its Chief Instructor has been given 180 hours of community service.

Both Cardiff Bay Yacht Club and Nicholas Sawyer pleaded guilty at an earlier hearing to charges relating to failures in their duty of care for children attending a residential course in October 2010.

The 4-day sailing training course was attended by 24 girls aged between 10 and 14. On the evening of 27 October 2010, after a day's training, the girls were taken ice skating. On leaving the rink at 8pm the girls boarded the 4 club RHIBs to take them across Cardiff Bay back to their accommodation. It was dark and the RHIBs had no navigation lights, even though this is required by law. The children were not supplied with lifejackets and were expected to use their own floatation jackets.

Two of the RHIB coxswains were paid contractors employed by Cardiff Bay Yacht Club but were not qualified for navigating at night. A collision took place between the two RHIBs being controlled by these coxswains, and some of the children were thrown in to the water. One of the girls, aged 10, was knocked momentarily unconscious when she was thrown into the water. All the girls were recovered from the water and taken ashore.

The following day the girl who was knocked unconscious began to deteriorate and was collected and taken to hospital by her mother. This child was later diagnosed as suffering from a life-changing brain injury for which she is still receiving treatment. Another child suffered three compressed discs in her spine.

The incident was not reported to the Maritime and Coastguard Agency and the agency was unaware of the incident until the parents of the severely injured girl contacted Cardiff Marine Office a year later.

Sentencing took place on Friday 30 May 2014 at Cardiff Crown Court. In passing sentence, Judge Bidder said:

This serious accident would not have happened if the Cardiff Bay Yacht Club and Nick Sawyer had assessed risk before transporting children across the bay .... It is important for those responsible for children's safety on water to realise why assessing risks is necessary.

Mr Robert Cotter, Surveyor in Charge at Cardiff Marine Office said:

When you entrust your child into someone else's care you expect them to do everything necessary to keep them safe. The Maritime and Coastguard Agency takes a very dim view of the actions of Cardiff Bay Yacht Club and Nicholas Sawyer and their attitude to safety.

High powered RHIBs need to be used responsibly. Operating these vessels in the dark with no navigation lights is foolish in the extreme. The safety of all on board and other users of Cardiff Bay should be the number one priority and this wasn't the case.

## **Maritime and Coastguard Agency press office**

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