



Accident Report

Drowning

Unnamed Kayak

1 November 2006

Class A





Photographs of the Perception Minnow kayak

SUMMARY

A fisherman used a borrowed kayak to set a long line from Pukehina beach.

After instructing his companion, who remained on the beach, to pay out the line from a reel, he paddled out to sea for more than one kilometre.

Some time later his companion became anxious and raised the alarm. A search was initiated which located the fisherman's body about one kilometre from his boat. Although still afloat, the kayak was about two thirds full of water. The weather was fine.

NARRATIVE

On Wednesday 1 November 2006, at about 0930 hours NZDT (New Zealand Daylight Saving Time), Phillip Smith (the fisherman) and his companion left the fisherman's house to go fishing off Pukehina beach. They took with them a kayak belonging to a neighbour of the fisherman.

It took them about an hour to drive to the Rogers Road car park by Pukehina beach. There, they carried their equipment onto the beach and then baited some hooks which were to be attached to the long-line.



Photograph 1

Pukehina Beach near the Rogers Road car park.

The fisherman put on a buoyancy vest and instructed his companion to pay out the line from its reel. After looking for a calm spot to launch the kayak, he waited for the right time to paddle out through the surf. Conditions were fine, with an offshore breeze.

The kayak headed away from the shore. The fisherman's companion said he paddled out so strongly that it was necessary to feed the line out quickly to keep up with him.

There was about 1 500 metres of monofilament line on the reel and by the time the kayak stopped, there were only 4 or 5 turns remaining.

A local resident said that at about 0930, he and his wife were walking on the beach when they saw a kayak already well out and another person on the shore with the line. The person in the kayak seemed to be paddling strongly and all seemed well with him. There were no other boats in the vicinity. At the time a stiff offshore breeze was blowing the tops off the waves.

Note: 0930 was about one and a half hours earlier than the time estimated by the fisherman's companion. Both parties were asked to confirm the times they had stated and they both said they were sure that their estimation was approximately correct.

The fisherman's companion said he could see a patch of colour but that the kayak was too far away to make out if the kayaker was still inside it. He understood that the fisherman intended to anchor the end of the line using two plastic bags filled with sand, then return to the shore, clipping on short monofilament lines with baited hooks on the way.

The companion sat on a stump next to the fishing line and waited for the kayak to return. After an estimated 15 to 20 minutes, he realized that the kayak was not getting any closer. He did not have a watch and both men had left their mobile phones in their truck.

The companion became anxious about the length of time the kayak had been out and went to a nearby house to borrow a pair of binoculars. They did not have any so he tried another house. At the third house the occupant had some binoculars. They stood on high ground to observe the kayak but still could not make out whether the fisherman was still on board.

The companion asked the householder to call the emergency services. He then drove to the Pukehina Surf Club to raise the alarm. On returning to the beach by the Rogers Road car park, he saw the Police were there, looking out to sea. At the same time, Surf Club lifesavers were taking their Inshore Rescue Boat (IRB) along the beach by trailer.

The householder said he called 111 to report the incident. When he finished the call he went to his balcony, overlooking the sea, and heard the siren at Pukehina Fire Station.

The Pukehina Volunteer Fire Service Chief Fire Officer (Fire Chief) said he heard the siren and headed to the fire station. Soon afterwards his pager went off and advised him that there was a kayak in difficulties near Rogers Road. He and another volunteer fire officer drove to Rogers Road, taking with them the Pukehina Fire Service Medical van. The Surf Club IRB was being brought along the beach by trailer and the Police were also in attendance.

At 1328, Tauranga Volunteer Coastguard (the Coastguard) received advice about the incident and at 1336, broadcast an urgency (PAN PAN) message. There was an immediate reply from the recreational vessel **KGB**, and at 1340 **KGB** advised that it was 5 minutes from the site of the incident.

The Skipper of **KGB**, a 6m Stabicraft with three persons on board, which was fishing near Town Point, said he heard the Fire Station siren. He weighed anchor and at 1331 he received a call from the Fire Station advising him of the incident. **KGB's** Skipper responded by saying they would proceed towards Pukehina beach. On the way, he received a telephone call from a volunteer fire officer on shore, asking him to contact the Coastguard on VHF channel 62 or 63. However, he was unable to make contact on either of these channels and the Coastguard called him by cellular phone and asked him to call them on Channel 83.

At 1358, the Fire Chief called **KGB** to say he was on his way to talk to the person who had last seen the kayak. **KGB** continued along the coast to the western end of Pikowai Straits, looking for the kayak. There was no sign of it so they turned and headed back towards Rogers Road.

They received another phone call from the Fire Chief to say that the Surf Club IRB was setting out from the beach in the direction in which the kayak had last been seen. **KGB** headed towards the IRB and, when they were about 750 m apart, turned and headed out to sea on a course parallel to them. When they were about 2.5 km from shore, they sighted the kayak. Turning to starboard, **KGB** was heading towards the kayak when one of its crew spotted a lifejacket in the water. **KGB** turned to starboard and made its way over to the lifejacket and found the fisherman's body floating in the water.

The Skipper of **KGB** said they found the body about 2.5 km from shore. The fisherman was floating with his head upright and out of the water but, with his face towards the wind, waves were lapping into his mouth. He was wearing a pair of rugby shorts and the buoyancy vest, which was securely fastened.

The Pukehina Surf Club IRB recovered the body and *KGB* picked up the kayak, which was about one kilometre further out to sea. The kayak was floating upright, about two-thirds full of water. The only equipment found in the kayak was a plastic nail box, attached to a piece of PVC pipe. The box contained some nylon line, hooks, bait and snap-on clips.

Weather

The fisherman's companion said that before setting out, they had checked the weather forecast on the MetService internet website.

The weather observed at the Port of Tauranga on Wednesday 1 November:

| Time | Wind Direction | Strength (knots) | Observations |
|------|----------------|------------------|-------------------------------|
| 0800 | SSW | 3 | Partly cloudy, fine and clear |
| 1200 | SW | 13 | Partly cloudy, fine and clear |
| 1600 | SW | 13 | Partly cloudy, fine and clear |

At 1200, the sea conditions at Tauranga fairway beacon were:

| | |
|---------------------------------|------|
| Significant Wave Height: | 0.6m |
| Maximum Wave Height: | 1.8m |
| Wave Period: | 5.7s |

The MetService forecast for Sea Area Plenty at 1243 on Wednesday 1 November was: Southwest 15 knots easing to variable 10 knots tonight. Sea slight.

The Skipper of *KGB*, which set out from Maketu at 0745 that morning said: The weather initially was beautiful, quite glassy. No noticeable swell – about half a metre at the end of the cut.

The Fire Chief described the conditions as: good – negligible surf – suitable for going off the beach in a dinghy.

The sea temperature was approximately 14°C.

The Kayak

The kayak was a Perception Minnow

| | |
|-----------------|-------|
| Length: | 2.90m |
| Breadth: | 0.74m |
| Mass: | 17kg |

The vessel was intact and in a satisfactory condition. Moulded internal buoyancy was fitted in its bow and stern.

Equipment

The only equipment said to have been on board were a paddle, a Hutchwilco Mariner Type 402 Inshore Waters Personal Flotation Device (PFD) and some fishing equipment. The paddle has not been recovered.

The Fisherman

The fisherman's companion stated:

"I have known Phillip Smith for about 20 years. He had a lot of boating experience in the Bay, in dinghies and small pleasure boats. He was a keen fisherman all round. He had not done a lot of kayaking. He and a friend of his had used a kayak to set a long line about a month ago further east along the Bay of Plenty coast. He was fit and was a good swimmer. In the summer he would swim in the sea and lakes very regularly."

In a statement to Police on 1 November, he stated:

"Phil had not mentioned anything about feeling unwell. To my knowledge Phil had not consumed any alcohol or drugs that day or the night before."

Forensic Toxicology

An ESR toxicology report of 23 November 2006 provided the following results of analysis of Mr Smith's blood and urine:

*"Metamphetamine TOX07607/1 Blood (femoral) 0.4 milligrams per litre (mg/L)
No medical drugs that affect the mind, alter mood or cause sleep were detected in the blood.
No evidence of the use of benzodiazepine or opiate type drugs, or cannabis was found in the urine.
The screening test indicated the presence of amphetamine type drugs in the urine. This result is consistent with the finding of metamphetamine in the blood.
No alcohol was detected in the blood or in the urine."*

The report noted that:

"Blood metamphetamine levels ranging from 0.01 to 1.9 mg/L (median 0.4 mg/L) were observed in 26 people involved in accidents or arrested for erratic driving. (Ref: Logan BK, Metamphetamine and Driving Impairment, Journal of Forensic Sciences 41(3) (1996) 457 464)"

Medical Opinion

A Maritime New Zealand designated physician advised that since metamphetamine in the body had a short half life, a level of 0.4 mg/L of blood would indicate that the substance had been taken recently - either on the day or the day before the accident.

This level should have had no significant effect on physical capability or control of the limbs. Nor should it have caused drowning by interfering with the airways or lung function.

As a serious stimulant, its effect would depend on frequency of use and how long ago it was taken. When taken for the first time, it could cause mental confusion. If taken by a regular user it may cause fatigue or withdrawal symptoms when coming down after euphoria. Intense physical activity while under its influence would also lead to exhaustion. The substance promoted dehydration, which could cause muscle cramps.

A level of 0.4 mg/L of metamphetamine in the blood was therefore considered to be a factor contributing to the drowning.

COMMENT & ANALYSIS

The autopsy report attributed Mr Smith's death to drowning.

The Police Report for Coroner stated:

" He has minor abrasions to his stomach and near his arm pits on his chest. He has foam and mucous coming from his mouth and when turned on his side a large volume of water came from his mouth and nose."

The toxicology report indicated 0.4 mg/L of metamphetamine in his blood

No one observed what happened to the fisherman.

The kayak was a small sit-in type of vessel.

It is surmised that either the fisherman fell out or sufficient water entered the kayak to make it unstable, leading to capsize.

With the kayak swamped it would have very little stability and, without assistance or appropriate equipment, it would have been impossible to re-board.

The fisherman may have become exhausted while trying to re-board the craft and this could have led to him drowning.

CONCLUSIONS

N.B. These are not listed in order of importance

Although no one observed the fisherman in difficulties, it is assumed that he fell out of the canoe and was unable to get back in.

The fisherman was boating alone, more than one kilometre from the shore.

The kayak was not suitable for use on the open sea.

Apart from a buoyancy aid, the fisherman had no safety or communication equipment.

The fisherman's blood contained metamphetamines in sufficient quantity for this to be considered a contributing factor, possibly causing him mental confusion, exhaustion or muscle cramps.

Weather conditions were good.

RECOMMENDATIONS

1. The use of kayaks from beaches to set fishing lines is becoming increasingly more common.
2. This report should be summarized in Maritime New Zealand's Lookout! publication with the following recommendations to anyone who intended using a canoe or similar small craft on the open sea:
 - Always ensure that the craft you use is suitable, both in its design and its construction, for the conditions.
 - Preferably do not go out alone. If you do go alone, do not venture too far out as you may need to swim ashore.
 - Always carry communication equipment – smoke flares and a plastic wrapped radio or cell phone.
 - Always carry safety equipment including a buoyancy vest and windproof clothing. For kayaks which are not solid, a spray skirt, paddle float and pump would be necessary to re-board the vessel after it was swamped.
 - Always ensure you can re-board your craft from the water in conditions similar to those prevailing.
 - Always have someone in attendance who knows what to do if you do not return within an agreed time. If this is not possible, leave a trip report with someone telling them where you are going and when you intend to return with instructions for them to call the rescue services immediately if you are not back at the stated time.
 - Attend a recognised kayaking course to learn the skills of operating a kayak and the type of kayak to use for differing locations and conditions.
 - Never use alcohol or drugs when operating any type of craft as this will impair your judgement and ability to respond.

VESSEL INFORMATION

| | |
|----------------------------------|--|
| Ship Type: | <i>Unnamed</i> Perception Minnow kayak |
| Flag: | New Zealand |
| Built: | Unknown |
| Construction Material: | Plastic |
| Length Overall (m): | 2.90 m |
| Maximum Breadth: | 0.74 m |
| Maritime Safety Inspector | Ian Clarke |