

## **Prosecution Report 2018**

### **Day angling skipper fined for breaching small code vessel rules**

**Defendant:** Roger Lennon

**Date of Hearing:** 16<sup>th</sup> January 2018

**Offence:** Breach of the small commercial vessel code of practice.

**Details:** Roger Lennon is the owner skipper of the vessel 'Skerry Belle' operating out of

**Penalty:** Fined £4,500 with more than £7,000 costs.

### **Not Guilty manslaughter verdict returned following the loss of the Cheeki Rafiki**

**Defendant:** Douglas Innes

**Date of Hearing:** 25<sup>th</sup> April 2018

**Offence:** Failing to operate the yacht in a safe manner contrary to section 100 of the

**Details:** Andrew Bridge (22) from Surrey, James Male (22) from Hampshire, Steve Warren (52) and Paul Goslin (56), both from Somerset, all died when the Cheeki Rafiki capsized in May 2014 while returning across the Atlantic Ocean to Southampton from Antigua Sailing Week. Mr Innes had been accused of failing to have the yacht properly checked ahead of its voyage and to ensure that its certification was in date for the intended trip. During the voyage, Mr Innes received an urgent email from Andrew Bridge on board the Cheeki Rafiki saying there were problems and water was coming in. He received a second message a little later saying the situation had got worse. Mr Innes returned home, called the UK Coastguard at Falmouth and emailed the crew suggesting they check the bolts of the keel. The court heard that a number of bolts had failed before the yacht had even left the UK in October 2013 en route to Antigua. It was the failure of those bolts that eventually caused the keel to detach from the yacht when she was in mid-Atlantic more than 700 miles from Nova Scotia in Canada, leading to a

catastrophic capsizes.

An extensive search and rescue by the US and Canadian Coast Guards was launched for the crew after two personal locator beacons were set off. The yacht was eventually found by a container ship on 17th May, two days after Mr Bridge's urgent email had been received by Mr Innes. No bodies have ever been found. The life raft was found still attached by swimmers from the USS Oscar Austin on 25th May 2014.

**Penalty:** 15-month prison sentence, suspended for two years and fined £50,000 (sentenced 11<sup>th</sup> May 2018)

### **Thames river cruise company fined for operating without a valid safety certificate**

**Defendant:** Sodexo Ltd

**Date of Hearing:** 18<sup>th</sup> May 2018

**Offence:** Operating without the valid certificate, contrary to Section 24 of the Merchant

**Details:** 'Symphony' is a Scandinavian style river cruise boat - operated by Bateaux

**Penalty:** £30,000 fine, victim surcharge of £125 and £4800 towards the cost of the

**Captain of Russian oil tanker fined over £25,000 over safety failures**

**Defendant:** Vitaliy Trofimov

**Date of Hearing:** 14<sup>th</sup> June 2018

**Offence:** Failing to comply with the International Safety Management (ISM)

**Details:** Vitaliy Trofimov, Captain of the Russian registered 85m long tanker 'TECOIL

**Penalty:** £1400 fine and £24361.99 in costs

**Fishing vessel owner fined for breaching small fishing vessel rules**

**Defendant:** John Lake

**Date of Hearing:** 25<sup>th</sup> July

**Offence:** Operating an unsafe vessel and failing to comply with the small fishing vessel

**Details:** The 13 metre fishing vessel 'Audrey Patricia' had been subject to a pre-arranged

owner and was not in a safe condition to go to sea. The vessel was being used as part of

**Penalty:** £4,500 fine, £170 victim surcharge and £6,458 towards the cost of the