ACCIDENT REPORT

Report on the investigation of

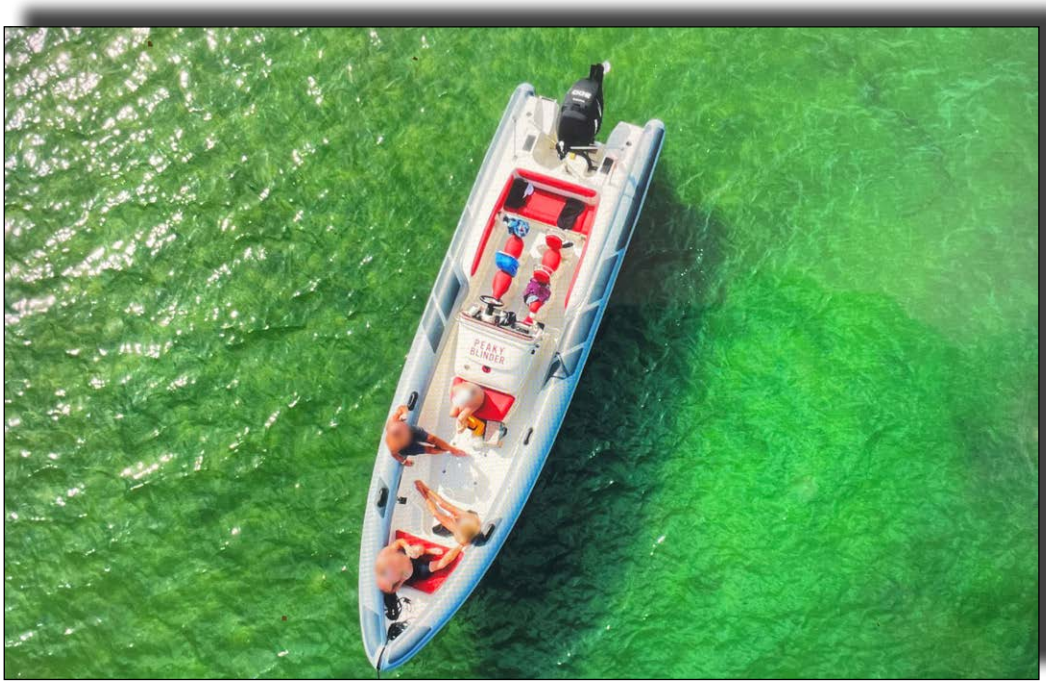
the allision of the rigid inflatable boat

Peaky Blinder

with a navigation beacon in Portsmouth Harbour, England

resulting in two fatalities

on 14 August 2025



MAIB
MARINE ACCIDENT INVESTIGATION BRANCH

VERY SERIOUS MARINE CASUALTY REPORT NO 15/2026 JULY 2026

Extract from

The United Kingdom Merchant Shipping

(Accident Reporting and Investigation)

Regulations 2026 – Regulation 5:

The sole objective of a safety investigation into an accident under these Regulations is the prevention of future accidents through the ascertainment of its causes and circumstances. It is not the purpose of such 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 19(1) of The Merchant Shipping (Accident Reporting and Investigation) Regulations 2026, shall be inadmissible in any judicial proceedings concerning liability unless the Chief Inspector of Marine Accidents or a court of law determine otherwise.

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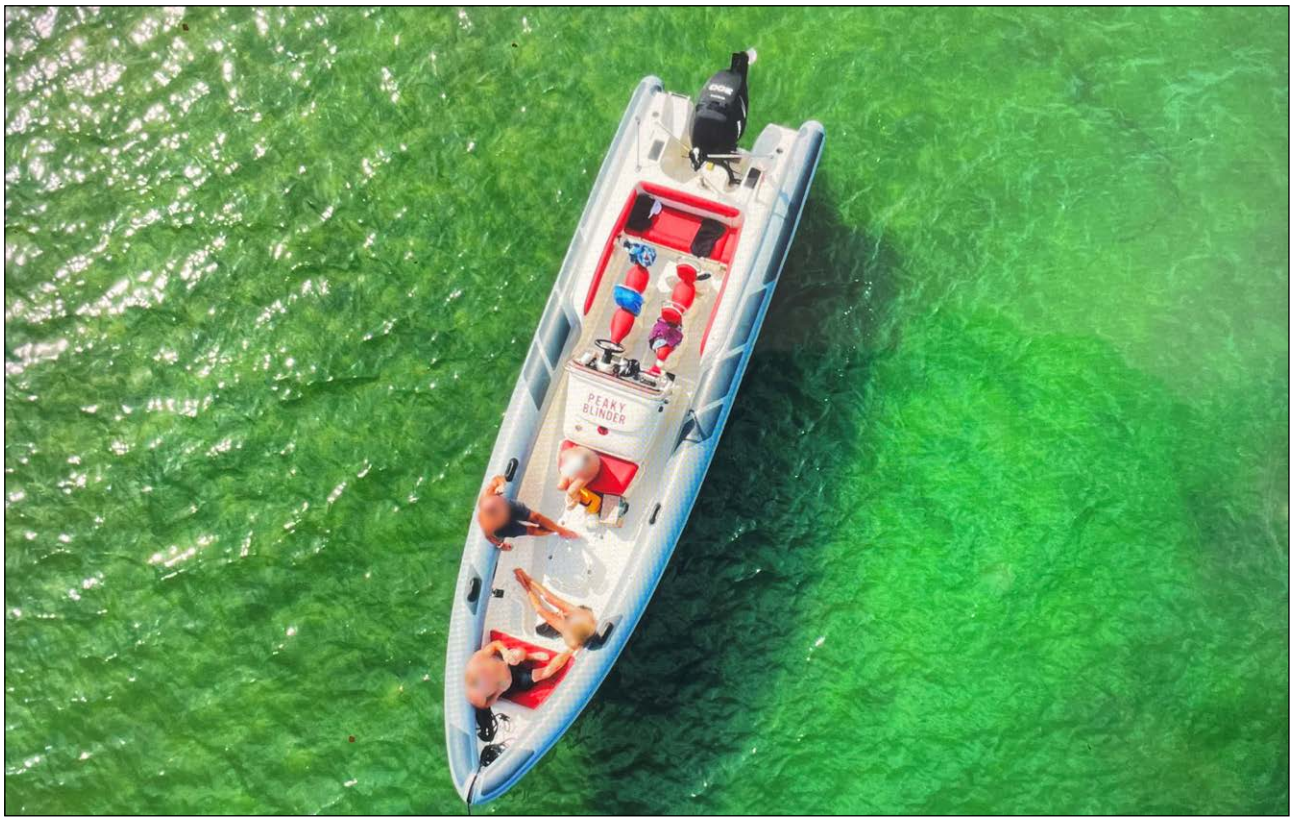
GLOSSARY OF ABBREVIATIONS AND ACRONYMS

µg/dL	-	micrograms per decilitre (µg/100ml)
BAC	-	blood alcohol content
BPA	-	British Ports Association
DfT	-	Department for Transport
GAFIRS	-	Gosport and Fareham Inshore Rescue Service
GRP	-	glass-reinforced plastic
GTGP	-	Guide to good practice on port and marine facilities
HMCG	-	His Majesty's Coastguard
HMNB	-	His Majesty's Naval Base
IAS	-	Institute of Alcohol Studies
IRPCS	-	International Regulations for Preventing Collisions at Sea, 1972, as amended (also referred to as the COLREGs)
KHM	-	King's Harbour Master
kts	-	knots
LNTM	-	Local Notice to Mariners
MCA	-	Maritime and Coastguard Agency
MDP	-	Ministry of Defence Police
mg/dL	-	milligrams per decilitre (mg/100ml)
MGN	-	Marine Guidance Note
MOU	-	memorandum of understanding
NASBLA	-	National Association of State Boating Law Administrators
NCI	-	National Coastwatch Institution
NHS	-	National Health Service
NICE	-	National Institute for Health and Care Excellence
PFD	-	personal flotation device
PMSC	-	Ports & Marine Facilities Safety Code
RaTSA	-	Railways and Transport Safety Act 2003
RIB	-	rigid inflatable boat
RNLI	-	Royal National Lifeboat Institution
RYA	-	Royal Yachting Association

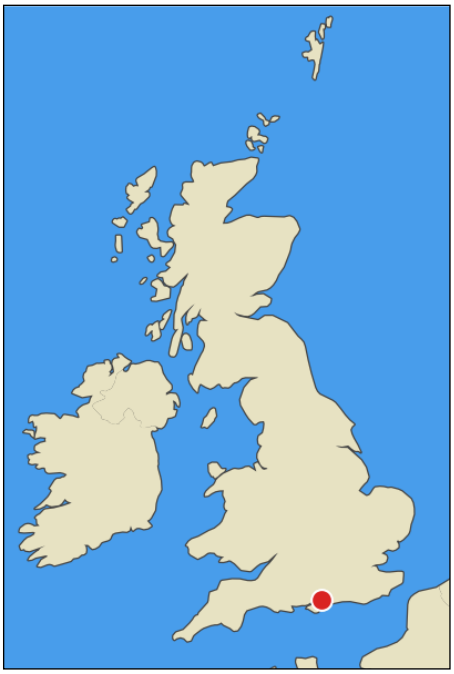
UKHMA	-	UK Harbour Masters' Association
UTC	-	universal time coordinated

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



Peaky Blinder

SYNOPSIS



On 14 August 2025, the rigid inflatable boat *Peaky Blinder* allided with a navigation beacon in Portsmouth Harbour, England, resulting in two fatalities and one minor injury.

The accident occurred when *Peaky Blinder* was returning from a social excursion around various locations in the Solent and Isle of Wight area. The owner was in control of the boat and was accompanied by two friends. Alcohol consumption featured centrally throughout the day.

After departing from their final stop at Haslar Marina, *Peaky Blinder* transited north through Portsmouth Harbour. Once clear of the naval base, the owner accelerated the rigid inflatable boat to speeds reaching a maximum of 49.7 knots, well above the 10 knots speed limit in the harbour. Approaching the channel leading to Port Solent, *Peaky Blinder* deviated to the starboard side of the channel. During the owner's attempts to regain the channel, *Peaky Blinder* struck the navigation beacon at a speed of 33.5 knots. All three occupants were ejected overboard. One passenger was recovered unconscious from the water and later declared deceased; the owner's body was recovered 5 days later. The remaining passenger survived with minor injuries.

A later toxicology report indicated a significant alcohol concentration in the owner's blood. The report concluded that the level of alcohol had the potential to substantially impair his judgement, reaction time, and decision-making.

The MAIB investigation found that the high-speed passage drastically reduced the time available to detect navigational hazards and respond effectively. The findings in this investigation mirrored those in previous MAIB cases involving pleasure craft where alcohol consumption and high speed had been identified as contributory to an accident.

No personal flotation devices were carried or worn on board *Peaky Blinder* at the time of the accident, reducing the ability of those who were unconscious to maintain their airways clear of the water.

The investigation also identified a longstanding regulatory gap with no enforceable alcohol limits for non-professional mariners.

Recommendations have been made to the Secretary of State for Transport to make an order to commence the provisions on alcohol limits for non-professional mariners contained in the Railways and Transport Safety Act 2003 and develop legislation to define its scope of application. They are further recommended to develop a national strategy for the delivery of an effective educational and awareness campaign.

The King's Harbour Master Portsmouth has been recommended to take action to improve adherence to the speed limits in Portsmouth Harbour.

SECTION 1 – FACTUAL INFORMATION

1.1 PARTICULARS OF *PEAKY BLINDER* AND ACCIDENT

VESSEL PARTICULARS	
Vessel's name	*Peaky Blinder*
Flag	UK
Classification society	Not applicable
IMO number/fishing numbers	Not applicable
Type	Pleasure craft
Registered owner	Privately owned
Manager(s)	Not applicable
Construction	Glass-reinforced plastic rigid hull
Year of build	2007
Length overall	8.4m
Registered length	Not applicable
Gross tonnage	Not applicable
Minimum safe manning	Not applicable
Authorised cargo	Not applicable

VOYAGE PARTICULARS	
Port of departure	Port Solent, England
Port of arrival	Port Solent (Intended)
Type of voyage	Recreational
Cargo information	Not applicable
Manning	Not applicable

MARINE CASUALTY INFORMATION	
Date and time	14 August 2025 at 1925
Type of marine casualty or incident	Very Serious Marine Casualty
Location of incident	Portchester Lake, Portsmouth Harbour
Place on board	Starboard side
Injuries/fatalities	2 fatalities, 1 minor injury
Damage/environmental impact	Significant hull damage, no environmental impact
Vessel operation	Recreation
Voyage segment	Port waters
Environment	Light airs; air temperature 23°C; sea water temperature 19°C
Persons on board	3

1.2 BACKGROUND

Peaky Blinder was a privately owned rigid inflatable boat (RIB), regularly used by the owner for recreational excursions in and around the Solent in southern England.

1.3 NARRATIVE

At midday on the 14 August 2025, the owner of *Peaky Blinder* met with two friends and one of their partners in Port Solent for a pre-arranged excursion in the Solent **(Figure 1)**. The group drank a glass of sparkling wine each before the owner and his two friends departed. The excursion was one of a regular series of recreational boating activities involving the owner and a wider group of friends. This was the ninth such trip in the preceding 12 months.

At about 1230, the three friends boarded *Peaky Blinder* and left the RIB's berth in Port Solent to motor to Priory Bay, Isle of Wight. On arrival, they anchored the RIB and swam in the bay before eating the lunch they had brought with them. While on passage from Port Solent and in the bay the owner and the other passengers had consumed about 10 cans of beer and cider between them. The group then left Priory Bay and motored the short distance to Ryde, Isle of Wight, arriving at 1523. The owner had earlier arranged to meet another group of friends at a local hotel and the three friends each consumed three pints of beer while they were there.

At about 1615, the three friends reboarded *Peaky Blinder* and left Ryde. They motored across the Solent to Haslar Marina, Gosport, arriving at 1729. They went to a floating restaurant and bar in the marina. While there, the three friends had two rounds of drinks before joining another group of friends at an ongoing event at the restaurant. The owner consumed a further pint and a half of beer, at which point he was noticeably unsteady on his feet.

On finishing their own drinks, the owner's two friends tried to find him. Unable to locate him inside the restaurant, they went back to the marina to wait for him on *Peaky Blinder*. When boarding the RIB, one of the two friends (passenger 1) fell into the water. Witnesses to this laughed as passenger 1 was recovered to the pontoon. As a prank, one of these witnesses took the kill cord from the RIB.

The owner returned to *Peaky Blinder* shortly afterwards and was embarrassed by the disturbance caused by passenger 1's fall into the water. He was keen to leave for home and tried to get the boat ready to leave, but this took some time as he could not find the kill cord that had been removed. When it was returned, the owner was visibly annoyed.

Shortly after 1913, the owner manoeuvred *Peaky Blinder* away from the pontoon. The RIB exited Haslar Marina and headed north up Portsmouth Harbour at a speed of around 16 knots (kts), slowing to about 12kts as it passed His Majesty's Naval Base (HMNB) Portsmouth.

Once past HMNB Portsmouth, *Peaky Blinder* continued its passage up Portsmouth Harbour, increasing speed to about 17kts. On approaching the channel towards Port Solent, the owner increased the engine throttle to bring the RIB onto the plane at about 26kts. Increasing the throttle still further, the speed rose, reaching a peak of 49.7kts before settling at about 45kts **(Figure 2)**. The owner made a sweeping turn to follow the course of the channel, which was marked with navigation beacons to port and starboard.

Image courtesy of Google Maps

Figure 1: Portsmouth Harbour and the Isle of Wight

Image courtesy of Google Earth

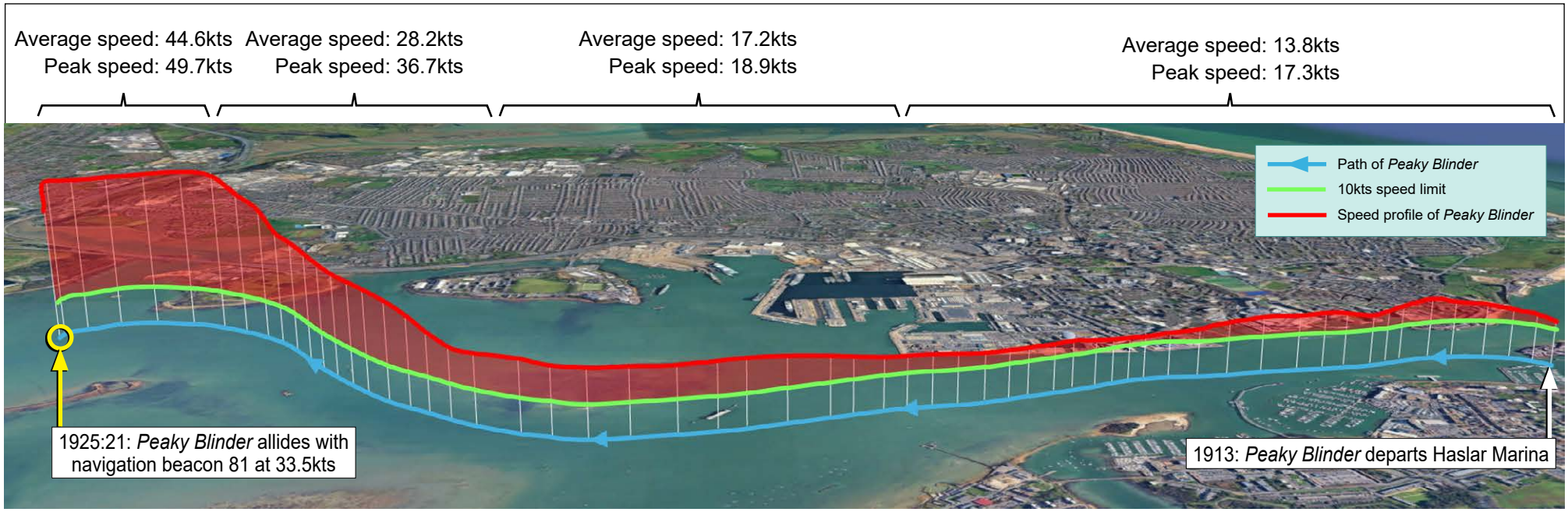


Figure 2: Speed profile of *Peaky Blinder* in Portsmouth Harbour on 14 August 2025

At about 1925, *Peaky Blinder* passed Tipner Ranges to the east. One of the two friends (passenger 2) realised the boat was to the right of the channel **(Figure 3)**. Passenger 2 called out to the owner, saying that they were heading along the wrong side of the navigation beacons to the right of the channel. The owner exclaimed and immediately turned the boat hard to port. As the boat turned, it slowed and heeled to port. The owner looked towards the mud flats to starboard. About 4 seconds later, at 1925:21, *Peaky Blinder* hit navigation beacon 81 at 33.5kts, ejecting all three occupants overboard.

Figure 3: Departure of *Peaky Blinder* from the marked channel

After being initially submerged, passenger 2 surfaced and saw the owner ahead, with passenger 1 floating unconscious beyond him next to the stationary *Peaky Blinder*. As passenger 2 watched, the owner submerged. Passenger 2 dived to attempt to locate the owner but was unable to find him underwater. On surfacing, passenger 2 swam to passenger 1 and pulled him towards *Peaky Blinder*. Passenger 2 was unable to bring passenger 1 on board the RIB and instead held him alongside the boat.

Seeing a smaller RIB, *Tryptic*, coming up the channel, passenger 2 took *Peaky Blinder*'s Red Ensign pennant, which had become detached during the accident, and waved it to attract attention. Passenger 2 then climbed on board *Peaky Blinder*. On sighting the people in the water, *Tryptic*'s coxswain immediately motored to assist.

Passenger 2 stepped across to *Tryptic* when the RIB came alongside *Peaky Blinder*. The coxswain of *Tryptic* and passenger 2 unsuccessfully attempted to haul passenger 1 from the water and then attempted to resuscitate him. Contact was made from *Tryptic* to His Majesty's Coastguard (HMCG) to initiate a rescue.

At 1945, having been alerted by the coastguard, the Gosport and Fareham Inshore Rescue Service (GAFIRS) arrived on the scene followed by a Ministry of Defence Police (MDP) launch. The responding emergency services rafted the two RIBs together, brought passenger 1 on board *Tryptic* and provided first aid. A Royal National Lifeboat Institution (RNLI) inshore lifeboat that had mobilised from Gosport arrived a short time later.

Passenger 1 was transferred to the RNLI inshore lifeboat and from there airlifted to Queen Alexandra Hospital, Portsmouth, where he was declared deceased. Passenger 2 was recovered to Port Solent by an MDP launch and transferred to hospital.

The owner's body was recovered at Whale Island in Portsmouth Harbour 5 days later.

1.4 ENVIRONMENTAL CONDITIONS

1.4.1 General

The weather at the time of the accident was dry with a clear sky. The air temperature was approximately 23°C. There was a light wind from the south-west and the sea water temperature was 19°C. High water had occurred at 1557 with a height of 4.64m. Low water was predicted to arrive at 2005 with a height of 0.99m.

1.4.2 Sun position

Sunset on 14 August 2025 occurred at 2027. At 1925 that evening, the sun was low in the west on a bearing of 282° from navigation beacon 81 with an altitude of 8.5°.

1.5 PORTSMOUTH HARBOUR

1.5.1 General

Portsmouth Harbour is part of the Dockyard Port of Portsmouth. The mouth of the harbour provides access to the Solent. To the west of the entrance to the harbour is the town of Gosport and to the east is Portsea Island and the city of Portsmouth, including HMNB Portsmouth. At the northern end of the harbour lies Portchester Lake with a channel leading through it to Port Solent, comprising a marina, housing, shopping and leisure facilities. Portsmouth International Port, a major passenger and freight hub serving England's south coast, lies to the north of HMNB Portsmouth.

The owner of *Peaky Blinder* lived in Port Solent, and the RIB was normally berthed in the adjacent marina.

1.5.2 Navigation beacon 81

The navigable channel in the northern part of Portsmouth Harbour diverges to the north of the westernmost tip of Portsea Island. The eastern branch goes to Tipner Lake, and the western branch leads to Port Solent Marina through Portchester Lake. The channel through Portchester Lake was marked by navigation beacons on each side **(**see **Figure 3)**.

Portsmouth Harbour is a tidal basin. Portchester Lake contains mud flats that are exposed at low tide.

Navigation beacon 81 was a fixed wooden post positioned on the northern side of the entrance to the western branch of the channel leading to Port Solent Marina. Each side of the square post was 35cm wide. It was painted green and was unlit. The beacon reached approximately 3m above the high-water line, below which it was coated in marine growth **(Figure 4)**.

Post-accident inspection of the beacon showed a scuff mark approximately 1m below the high-water line across the eastern face of the beacon, exposing the green paint beneath the marine growth.

1.6 *PEAKY BLINDER*

1.6.1 General

Peaky Blinder was an 8.4m R8 Sport RIB built by Cougar Powerboats in 2007. It was fitted with a 300 horsepower outboard engine that provided a maximum speed in excess of 50kts. The owner purchased the RIB in March 2023.

The RIB was a Recreational Craft Directive[1] category C vessel designed for inshore voyages in coastal waters, large bays, estuaries, lakes and rivers.

Peaky Blinder had four jockey seats aft of the instrument console in two rows of two. A padded bench seat was positioned across the transom with another padded seat immediately forward of the instrument console. The RIB was fitted with a VHF

[1] Recreational Craft Directive 94/25/EC, amended by Directive 2003/44/EC.

radio, a console-mounted compass, a navigation plotter, and engine instrumentation. An anchor was stored in a locker in the bow. *Peaky Blinder* had been regularly maintained by the owner.

Peaky Blinder was not carrying any lifesaving apparatus or personal flotation devices (PFDs) at the time of the accident.

Images courtesy of Hampshire and Isle of Wight Constabulary

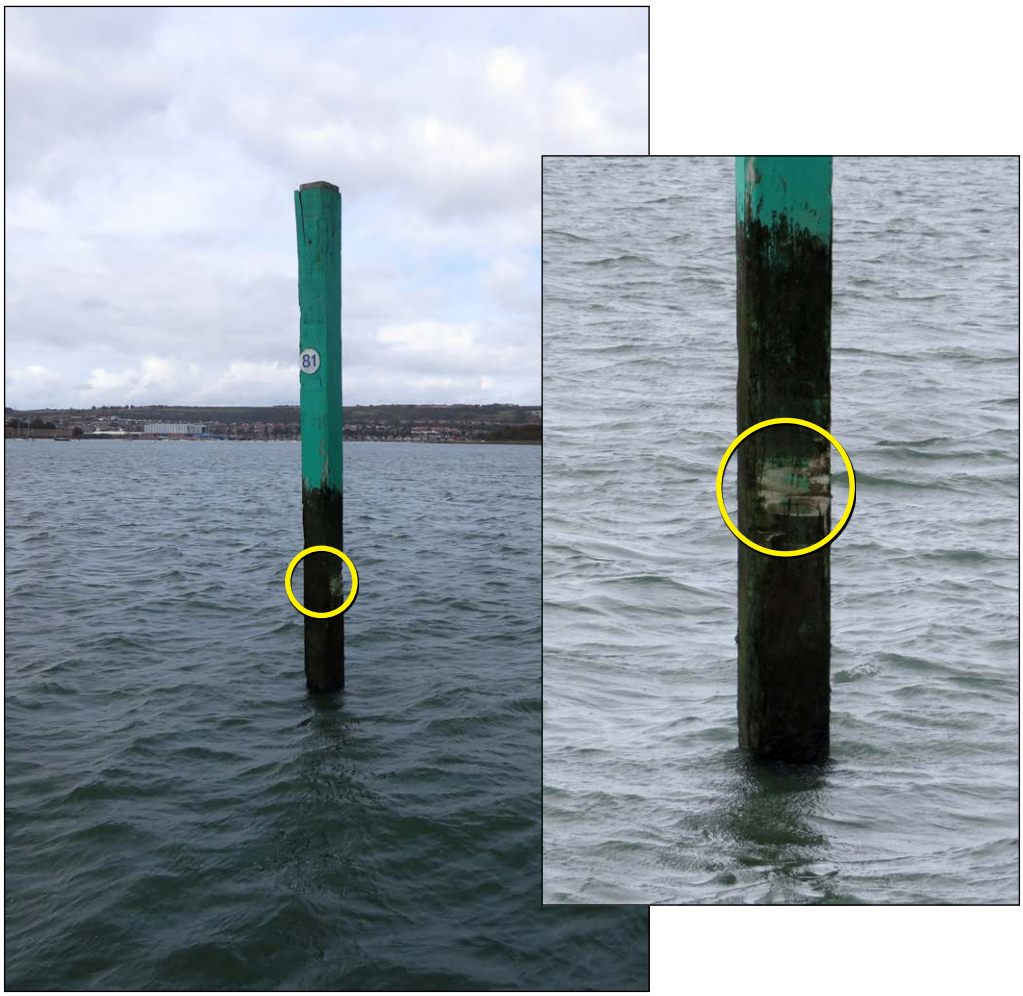


Figure 4: Navigation beacon 81 with inset detail of surface damage

1.6.2 Accident damage

The allision caused extensive damage to *Peaky Blinder*'s starboard side **(Figure 5)** that included:

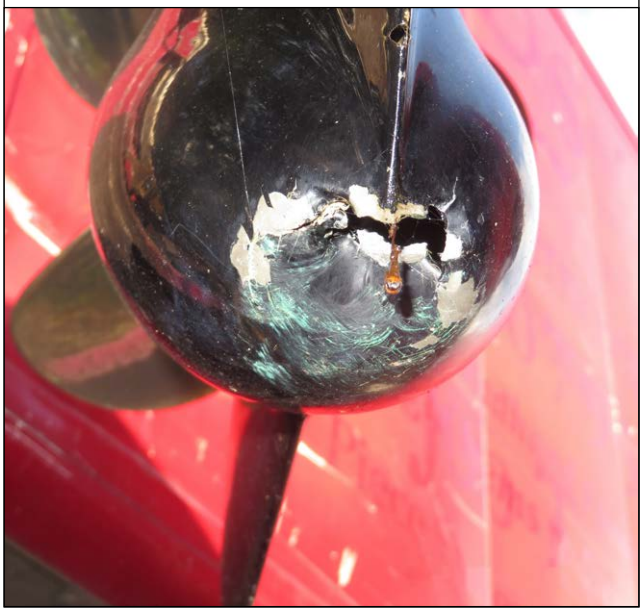
- a 130mm tear in way of the hull-to-bow sponson joint, approximately 150mm aft of the bow
- notable scrapes forward of the spray rails on the glass-reinforced plastic (GRP) hull form
- significant damage along the starboard chine, breaking through the gel coat into the core of the GRP structure between 450mm and 700mm aft of the bow

- a vertical crack through the starboard hull amidships
- damage to the front of the gear housing on the outboard engine
- the top of the steering wheel was bent forward.

The damaged sections of the GRP structure and engine gear housing showed evidence of green paint transfer. Other parts of the RIB remained undamaged.

Damage to starboard hull chine

Damage to front of gear housing on outboard engine



Split to GRP hull

Deformed steering wheel

Figure 5: Post-allision damage to *Peaky Blinder*

1.6.3 Owner

The owner of *Peaky Blinder*, William Blake, was in sole control of the RIB throughout the excursion on 14 August 2025.

The owner was 61 years old. He had driven boats recreationally for a number of years and had owned several boats before purchasing *Peaky Blinder*. He had not completed any formal training in the operation of powerboats but was considered by his friends and family to be a capable coxswain. He was wearing sunglasses at the time of the accident. He was not wearing a PFD.

1.6.4 Passengers

Passenger 1, Gary Huntington, was 60 years old. Passenger 2 was 56 years old. At the time of the accident, the owner occupied the jockey seat adjacent to the steering wheel on the starboard side of the cockpit. Passenger 2 sat next to the owner on the port side jockey seat, while passenger 1 occupied the jockey seat immediately behind them. Neither passenger was wearing a PFD.

1.6.5 Injuries

The owner's body was recovered 5 days after the accident. The postmortem report indicated extensive traumatic damage to the facial skeleton, noting that it was probable that the head injuries may have rendered him incapacitated. The postmortem indicated the cause of death as drowning and head injury.

A toxicology report showed no evidence of drugs in the owner's body but detected a blood alcohol content (BAC) of 198 milligrams per decilitre (mg/dL) in his blood, and 271mg/dL in his urine.

Passenger 1 had a laceration to the right side of his head. He had scattered, non-specific bruises and abrasions elsewhere to his body and his right clavicle was fractured. He also had right transverse process fractures[2] of the upper thoracic[3] spine.

The postmortem report stated that it was likely that passenger 1 was incapacitated due to the traumatic head injury sustained during the allision. There were signs of water inhalation. The cause of death was attributed to drowning and head injury.

A toxicology report showed no evidence of drugs in passenger 1's body but detected a BAC of 159mg/dL in his blood and 226mg/dL in his urine.

Passenger 2 had severe bruising to the torso and other minor injuries. They were released from hospital the day after the accident.

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[2] Breaks in the bony projections of vertebrae, often caused by severe direct trauma or forced twisting.

[3] The middle section of the spinal column.

1.6.6 Recreational use of *Peaky Blinder* in the Solent area

The owner of *Peaky Blinder* regularly undertook excursions in the Solent area with groups of friends. As their work usually involved weekends, the excursions were generally undertaken on weekdays when their schedules allowed. The trips were treated as a recreational activity that provided the friends with the opportunity to relax, and almost always involved drinking in the waterside bars and restaurants around the Solent area.

The data recovered from the plotter on board *Peaky Blinder*, summarised in **Table 1** provided an outline of the RIB's movements and the locations visited in the 12 months up to and including the day of the accident. The plotter data also indicated that *Peaky Blinder* routinely exceeded 40kts on all these excursions. The highest speed recorded was 63.2kts on 15 May 2025. The high-speed passages all occurred in the channel towards Port Solent in Portchester Lake.

Date	Location	Duration
18 August 2024	Gunwharf Quays, Portsmouth	3 hrs 5 mins
3 October 2024	Fishbourne, Isle of Wight	2 hrs 25 mins
9 May 2025	Haslar Marina, Gosport	2 hrs 15 mins
15 May 2025	Priory Bay, Isle of Wight	1 hr 41 mins
	Haslar Marina, Gosport	2 hrs 24 mins
13 June 2025	Fishbourne, Isle of Wight	1 hr 42 mins
19 June 2025	Priory Bay, Isle of Wight	2 hrs 20 mins
	Haslar Marina, Gosport	2 hrs 24 mins
10 July 2025	Osborne Bay, Isle of Wight	1 hr 2 mins
	Cowes Yacht Haven, Isle of Wight	2 hrs 58 mins
8 August 2025	Haslar Marina, Gosport	1 hr 28 mins
14 August 2025	Priory Bay, Isle of Wight	1 hr 18 mins
	Ryde, Isle of Wight	1 hr 49 mins
	Haslar Marina, Gosport	1 hr 44 mins

Table 1: Locations visited by *Peaky Blinder* between 18 August 2024 and 14 August 2025

1.7 REGULATION AND GUIDANCE

1.7.1 Safe speed

International Regulations for the Prevention of Collisions at Sea, 1972, as amended

The International Regulations for the Prevention of Collisions at Sea, 1972, as amended (IRPCS)[4] apply to pleasure craft as they do for commercial vessels. Rule 6 of the IRPCS stated:

> *Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid a collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.*

This rule is supplemented by Rule 5 on lookout, which stated:

> *Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and or the risk of collision.*

The Merchant Shipping Act 1995

The Merchant Shipping Act 1995 did not set specific limits on the speed of vessels.

Section 58 of the Act was concerned with conduct endangering ships, structures or individuals. It set out the responsibilities of ships' masters and was equally applicable to people operating pleasure boats.

Under Section 58(2), it was an offence for a master to do:

> *…any act which causes or is likely to cause—*
>
> *(i) the loss or destruction of or serious damage to his ship or its machinery, navigational equipment or safety equipment, or*
>
> *(ii) the loss or destruction of or serious damage to any other ship or any structure, or*
>
> *(iii) the death of or serious injury to any person*

Or, for a master to omit to:

> *…do anything required—*
>
> *(iii) to prevent his ship from causing the loss or destruction of or serious damage to any other ship or any structure, or the death of or serious injury to any person not on board his ship*

[4] Also referred to as the COLREGs.

Ports & Marine Facilities Safety Code

The Ports & Marine Facilities Safety Code (PMSC) was a code of practice that set out a national standard for every aspect of port and marine facility safety. With its companion publication, the Guide to good practice on port and marine facilities (GTGP), the PMSC provided a framework for best practice in port and marine facility operations. Though the PMSC code of practice was non-mandatory, the King's Harbour Master Portsmouth (KHM), as the Statutory Harbour Authority for the Dockyard Port of Portsmouth, applied its contents in the management of the port.

Section 1.5 of the GTGP stated that the *organisation/Harbour Authority will discharge where applicable its general and specific statutory duties in respect of,* among other things:

- *the regulation of traffic and safety of navigation within its authority;*
- *facilitate the safe movement of vessels and craft into, out of, and within the harbour/facility;* and
- *create and promote an awareness in employees and others with respect to safety and protection of the environment*

Section 3.5 of the GTGP provided guidance on the powers held by some harbour authorities to give 'general directions', enabling them to lay down general rules for navigation within the limits of the port or facility. The guide noted that such general directions *act as a useful mechanism for managing navigation and furthering safety*.

The Dockyard Port of Portsmouth Order 2005

The Dockyard Port of Portsmouth Order, 2005 (the Order) set a geographical limit of application and applied regulations within those limits. Besides setting regulations concerning operations within the port, the Order also required the master of any vessel to comply with any specific or general direction given by the Queen's Harbour Master[5]. The Order contained a provision directly related to speed within the port, requiring that:

> *All vessels shall comply with any direction which the Queen's Harbour Master may issue for speed limits from time to time and which may be published in a general or local notice to mariners.*

And:

> *…no vessel, when navigating within the Harbour or (except for water-skiers and jet-skiers in an area for the time being designated by the Queen's Harbour Master and marked by buoys) when within 0.5 nautical miles of the line of mean low-water springs in any part of the Dockyard Port outside the Harbour shall proceed at a greater speed than 10 knots through the water save for the purpose and subject to the conditions specified in a licence in writing given by the Queen's Harbour Master.*

No licence permitting a speed of greater than 10kts had been issued to *Peaky Blinder*.

[5] The title of the post became King's Harbour Master on 8 September 2022, on the accession of King Charles III. The legal and operational functions of the office did not change with the title.

General Direction 4/25: Dockyard Port of Portsmouth – Speed Limits

On 6 June 2025 the KHM Portsmouth made General Direction 4/25: *Dockyard Port of Portsmouth – Speed Limits* governing speed limits within the port. The direction repeated the 10kts limit set out in the Order and provided exceptions for vessels operated by the Ministry of Defence and recognised search and rescue organisations when responding to an emergency. It also made allowance for the speed limit to be exceeded for *specific exceptional reasons* through application to the KHM.

General Direction 4/25 also reminded mariners of the importance of proceeding at a safe speed at all times as defined in Rule 6 of the IRPCS.

Prominent signage on Fort Blockhouse on the western side of the entrance to Portsmouth Harbour indicated the 10kts speed limit within the harbour.

Local Notice to Mariners 4/25 – Safety Points for Recreational Vessels, RIBs and Other Fast Craft in the Solent

In January 2025, the KHM published Local Notice to Mariners (LNTM) 4/25, drawing attention to the risk to boat operators and others and the safety measures required to assist in keeping marine risks as low as practicable. The LNTM noted the speed limit within Portsmouth Harbour and that it would *continue to be strictly enforced by KHM*.

King's Harbour Master Portsmouth

The KHM maintained an enforcement policy that set out the way the organisation would respond to breaches of the legislation governing activities within the geographical limits of the Dockyard Port of Portsmouth. This included breaches of the Dockyard Port of Portsmouth Order 2005 and General Direction 4/25 related to speed within Portsmouth Harbour. The policy presented a phased approach to enforcement through verbal and written warnings before a prosecution would be initiated through the local Magistrates' Court when considered appropriate.

The KHM operated a year-round harbour patrol throughout Dockyard Port of Portsmouth waters. The primary purpose of the patrol was to educate, advise and assist port users; to monitor the marine environment and the condition and operability of port facilities; and to manage the application of the KHM enforcement policy. There was no evidence of enforcement action having been taken on boats exceeding the harbour speed limits in the northern section of the harbour.

Ministry of Defence Police Marine Unit

The Ministry of Defence Police (MDP) Marine Unit provided a security and policing service to protect warships within the port area, together with protecting the waterfront area of HMNB Portsmouth itself.

The MDP Marine Unit collaborated closely with the Hampshire & Isle of Wight Constabulary Marine Support Unit, which was responsible for civilian policing activities outside the core responsibilities of the MDP Marine Unit.

The MDP Marine Unit and KHM maintained a Memorandum of Understanding (MOU) governing the relationship between the two organisations. The MOU recognised the primary role of the MDP Marine Unit was to provide a policing and security service to HMNB Portsmouth. The MOU also identified a need to assist the KHM to ensure, where exigencies of services permitted, that all users of the waters observe the Dockyard Port of Portsmouth Order 2005.

Hampshire & Isle of Wight Constabulary

Hampshire & Isle of Wight Constabulary was responsible for civilian policing of the public foreshore, marinas, crimes against the public, search and rescue support and general law enforcement. The constabulary maintained a Marine Support Unit to give it capability for enforcement activity on the water.

The Marine Support Unit had previously undertaken operations to target antisocial and dangerous behaviour involving all types of watercraft on Hampshire and Isle of Wight waters. During these operations the Marine Support Unit collaborated with partner agencies, including the RNLI and Maritime and Coastguard Agency (MCA), harbour masters and the MDP.

Royal Yachting Association guidance and training

The Royal Yachting Association (RYA) is a membership organisation with over 100,000 members and is the national governing body for a variety of sailing and boating activities, providing guidance on a broad range of subjects.

The RYA noted in its *on the water safety* advice that a good knowledge of the IRPCS is essential, stating that *the steering and sailing rules set out in Part B (Rules 4-19) are the ones likely to be most significant to small boats operating in daylight, with good weather or restricted visibility*. The guidance included a reference to Rule 6 of the IRPCS.

On consideration of other water users, the seventh item in the RYA's *seven common senses for safe sailing*[6] stated:

> *You should respect others both on and off the water by following local restrictions and speed limits. Give others plenty of space and take all action necessary to avoid collisions or any other type of incident or accident.*

The syllabus for the RYA Level 2 Powerboat Handling training course included modules on the IRPCS, planing, slow speed manoeuvring, and the application of local byelaws.

1.7.2 Alcohol consumption

The Merchant Shipping Act 1995

Section 58(2) of the Merchant Shipping Act 1995 – Conduct endangering ships, structures or individuals – set out the circumstances where a master would be responsible for their actions or omissions should they cause, or could cause, damage or death or serious injury to a person.

[6] RYA seven common senses for safe sailing

Section 58(3) outlined the conditions necessary for it to be considered an offence under the Act, one of which was *that the master or seaman in question was under the influence of drink or a drug at the time of the act or omission*. The Merchant Shipping Act 1995 did not set limits for alcohol concentration in blood, breath or urine.

The Merchant Shipping (Watercraft) Order 2023 applied the Merchant Shipping Act 1995 Section 58(3) offences to powered watercraft.

Railways and Transport Safety Act 2003

The Railways and Transport Safety Act 2003 (RaTSA) was brought into force on 30 March 2004 by Statutory Instrument 2004 No. 827 – The Railways and Transport Safety Act 2003 (Commencement No. 2) Order 2004.

Section 78 of the RaTSA implemented alcohol limits for professional staff on duty. Section 79 did the same for professional staff who were off duty but who, in the event of an emergency, might be required to take action to protect the safety of passengers. Section 81 of the RaTSA set out the prescribed BAC limits as:

- in the case of breath, 25 µg/dL
- in the case of blood, 50 mg/dL
- in the case of urine, 67 mg/dL.

Section 83 of the RaTSA referred to the provisions of the Road Traffic Act 1988 to implement a framework for police forces to be able to enforce the limits contained in the act. The legislation enabled a police officer to enforce the alcohol limits contained in the RaTSA in the same manner as they would if they had reasonable suspicion of a person being under the influence of alcohol when driving or attempting to drive a mechanically propelled vehicle on a road. Section 83 of the RaTSA applied across all UK nations.

Section 80 of the RaTSA when drafted related to non-professionals and stated:

> *(1) This section applies to a person who—*
>
> *(a) is on board a ship which is under way,*
>
> *(b) is exercising, or purporting or attempting to exercise, a function in connection with the navigation of the ship, and*
>
> *(c) is not a person to whom section 78 or 79 applies.*
>
> *(2) A person to whom this section applies commits an offence if his ability to exercise the function mentioned in subsection (1)(b) is impaired because of drink or drugs.*
>
> *(3) A person to whom this section applies commits an offence if the proportion of alcohol in his breath, blood or urine exceeds the prescribed limit.*
>
> *(4) The Secretary of State may make regulations providing for subsection (3) not to apply in specified circumstances.*

(5) Regulations under subsection (4) may make provision by reference, in particular—

(a) to the power of a motor;

(b) to the size of a ship;

(c) to location.

Only sections 80(4) and 80(5) of the RaTSA were implemented by the RaTSA commencement order. As a result, there were no means of enforcing alcohol limits on non-professional mariners.

In 2004 and 2009, the Department for Transport (DfT) held two consultations on alcohol limits for non-professional mariners. The 2009 consultation proposed that alcohol limits should not apply to non-professionals on a vessel with a length overall of less than 7m and a maximum design speed of less than 7kts. This dispensation would be possible under secondary legislation drawn up under sections 80(4) and 80(5) of the RaTSA.

The 2009 consultation had a similar outcome to the 2004 consultation. Respondents generally believed there should be limits, but expressed little support for the terms of the proposal on the basis that it would, for example, be difficult to determine the maximum speed of a sailing vessel. Additionally, that enforcement would be problematic when trying to define the Section 80(1)(b) phrase, *exercising a function in connection with the navigation of the ship*.

In 2019, DfT published a Maritime Safety Action Plan policy paper. The action plan contained a section specific to alcohol use among recreational mariners on the water, which stated:

- *The commercial maritime industry already has existing international regulation prescribing alcohol limits, set by the International Maritime Organization and by the European Parliament. Some companies also have private limits applied to their employees which are even more stringent than those international requirements. The same is not true for recreational mariners in the UK, where there is no existing national legislation to regulate alcohol consumption while using the water.*

- *Local authorities also have the ability to create and apply by-laws which can offer protection against excessive alcohol use by recreational mariners, and have in some cases proven effective in prosecution during legal proceedings.*

- *The issue of alcohol limits for recreational mariners is becoming increasingly relevant to the safety of all UK water users following recent incidents. DfT is actively responding to these recent incidents and will be engaging with the sector on its experience as part of its public consultation on personal watercraft. DfT encourages a high level of response to the consultation across the maritime sector.*

- *Any legislation put in place would be more effective if the people who will most likely be affected by it are aware of why it has been developed and what it means for them.*

In July 2025, the chief executive of the British Ports Association (BPA) wrote to the Minister for Aviation, Maritime and Security. The letter noted the lack of implementation of Section 80 of the RaTSA. The letter also noted that DfT had, in its response to comments made during the consultation on the Merchant Shipping (Watercraft) Order 2023, stated that *there has been an increase in the number of reports of incidents, accidents and near misses where alcohol and drug use is strongly suspected*. The chief executive also wrote:

> *Many marine professionals find it shocking that a sizeable section of our maritime sector is exempt from 'drink-drive' rules. There have been too many occasions when alcohol has contributed to dangerous accidents or near-misses, endangering lives in the marine environment, both within and outside ports areas. We have engaged constructively with other parts of the sector and your Department, but ultimately ports need the law on their side for prosecutions and also in driving more cultural change and raising awareness surrounding alcohol on the water.*

Together with the BPA's letter, the president of the UK Harbour Masters' Association (UKHMA) also wrote to the minister highlighting that the UKHMA had:

> *for many years held serious concerns regarding the disparity of safety regulations & standards required between commercial vessel operators and non-commercial leisure craft owners and users*

And, that:

> *With reference to Section 80 of the Railways and Transport Safety Act 2003, the UKHMA believe that this now needs to be brought into force. Publicity and Education alone are not working; we now need some real consequences for those who are not prepared to take responsibility for their actions when putting themselves and others at risk.*

In response, DfT's position was to maintain the evidence under review and to work with sector organisations to highlight the risks of drink and drugs in the maritime environment.

Maritime and Coastguard Agency guidance

In November 2024, the MCA published Marine Guidance Note (MGN) 599 (M) Amendment 1[7] providing guidance on the legislative requirements for pleasure vessels and the introduction of the Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea. Section 13 of MGN 599 (M) Amendment 1 provided best practice advice for pleasure vessel owners and crew. Section 13.1 strongly recommended that *these best practice guidelines are followed at all times* and advised pleasure boat operators to:

> *Avoid Alcohol – If you have been drinking alcohol, your judgement will be impaired and you will be more likely to make mistakes, which at sea could be life threatening. Think of operating a vessel in the same way as you would think about driving a car – where the perils of drink driving are well understood.*

[7] MGN 599 (M) Amendment 1: Pleasure Vessels – Regulations and Exemptions – Guidance and Best Practice Advice.

This guidance was supported by messaging on the 'Safety onboard' section of HMCG's website[8], which stated:

> *Stay sober when you're on the water*
>
> *Alcohol and the water are never a safe combination. Just as drinking and driving a car can lead to life-altering consequences, so can mixing alcohol with operating a boat or any watercraft. Look after each other and act responsibly — if a friend has had too much to drink, ensure they get home safely and never let them take control of a vessel. Alcohol impairs judgment, reaction times, and coordination, all of which are critical for safe boating. Don't let your trip end in tragedy.*

In February 2025, the MCA published MGN 193 (M+F) Amendment 2[9] setting out updated guidance on the effects of alcohol or drugs on chances of survival at sea.

MGN 193 (M+F) Amendment 2 highlighted that alcohol accelerates body cooling, increasing the risk of hypothermia, particularly during cold water exposure. It also noted that even moderate alcohol consumption could lead to hypoglycaemia[10], further impairing the body's ability to retain heat. The guidance contained in MGN 193 (M+F) Amendment 2 warned that blood alcohol levels above 80mg/dL could pose a significant threat to survival.

Royal Yachting Association guidance on alcohol consumption

The RYA published 'Know your limits'[11] safety advice on its website that contained a section on alcohol, drugs, seasickness and illness, and stated:

- *The best piece of safety kit you have is you. Keep a clear head so you can react to any situation.*
- *Alcohol will impair your coordination and your ability to think clearly, particularly in an emergency situation. It influences your behaviour and affects your judgement.*
- *The RYA urges all boaters not to mix alcohol and boating.*

Royal National Lifeboat Institution guidance on alcohol consumption

The RNLI's guidance on alcohol consumption focused primarily on activities near the water rather than involved in boating[12]. The RNLI published 'Alcohol' safety advice on its website that noted:

> *Around 1 in 8 coastal deaths in the UK involve alcohol, and it is a contributing factor in many more water-related incidents.*

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8 HMCG Safety onboard

9 MGN 193 (M+F) Amendment 2: The effects of alcohol or drugs on chances of survival at sea

10 Low blood sugar (glucose), below 4 millimoles per litre.

11 RYA Know your limits

12 RNLI Know the risks: Alcohol

1.8 REFERENCE INFORMATION

1.8.1 Effects of alcohol on the human body[13]

The UK's National Health Service (NHS) set out the short-term effects of alcohol shown in **Table 2**.

Number of units of alcohol[14]	Effects on the human body
1 to 2	The heart rate increases and blood vessels expand, giving a warm, sociable and talkative feeling associated with moderate drinking.
4 to 6	The brain and nervous system start to be affected including the part of the brain associated with judgement and decision-making, causing a person to be more reckless and uninhibited. The cells in the nervous system are also impaired, giving a feeling of light-headedness and adversely affecting reaction time and coordination.
8 to 9	Reaction times will be much slower, speech will begin to slur, and vision will begin to lose focus.
10 to 12	Coordination will be highly impaired, placing a person at serious risk of having an accident. The high level of alcohol has a depressant effect on both mind and body, causing drowsiness.

Table 2: NHS guidance on the effects of alcohol on human behaviour

The Institute of Alcohol Studies (IAS) stated that driving functions are significantly impaired when BAC is lower than 50mg/dL, quoting a study (Fell and Voas, 2009) titled 'Reducing illegal blood alcohol limits for driving: effects on traffic safety'.

In 2010, the National Institute for Health and Care Excellence (NICE) published a *Review of the effectiveness of laws limiting blood alcohol concentration levels to reduce alcohol-related road injuries and deaths.* The review noted that the risk of a driver having an accident increased sharply with even small amounts of alcohol – drivers with a BAC of 20mg/dL to 50mg/dL were at least three times more likely to die in a crash. The risk increased to six times with a BAC of 50mg/dL to 80mg/dL and 11 times with a BAC of 80mg/dL to 100mg/dL.

[13] This report draws on a wide range of studies that used various units of measurement to define BAC levels. For consistency, units of measurement have been converted to mg/dL where necessary.

[14] The calculation is the volume of a drink (ml) x Alcohol by Volume (%), the result of which is divided by 1,000. One unit equals 10ml or 8g of pure alcohol.

The NICE review's conclusions broadly aligned with those of a December 2001 paper[15] published in the USA that sought to determine the association between alcohol use and the estimated relative risk of dying while boating. This paper concluded that *drinking increases the* [relative risk] *of dying while boating, which becomes apparent at low levels of BAC and increases as BAC increases* **(Figure 6)**.

Image taken from Drinking and Recreational Boating Fatalities A Population-Based Case-Control Study (Smith, Keyl, Hadley et al 2001)

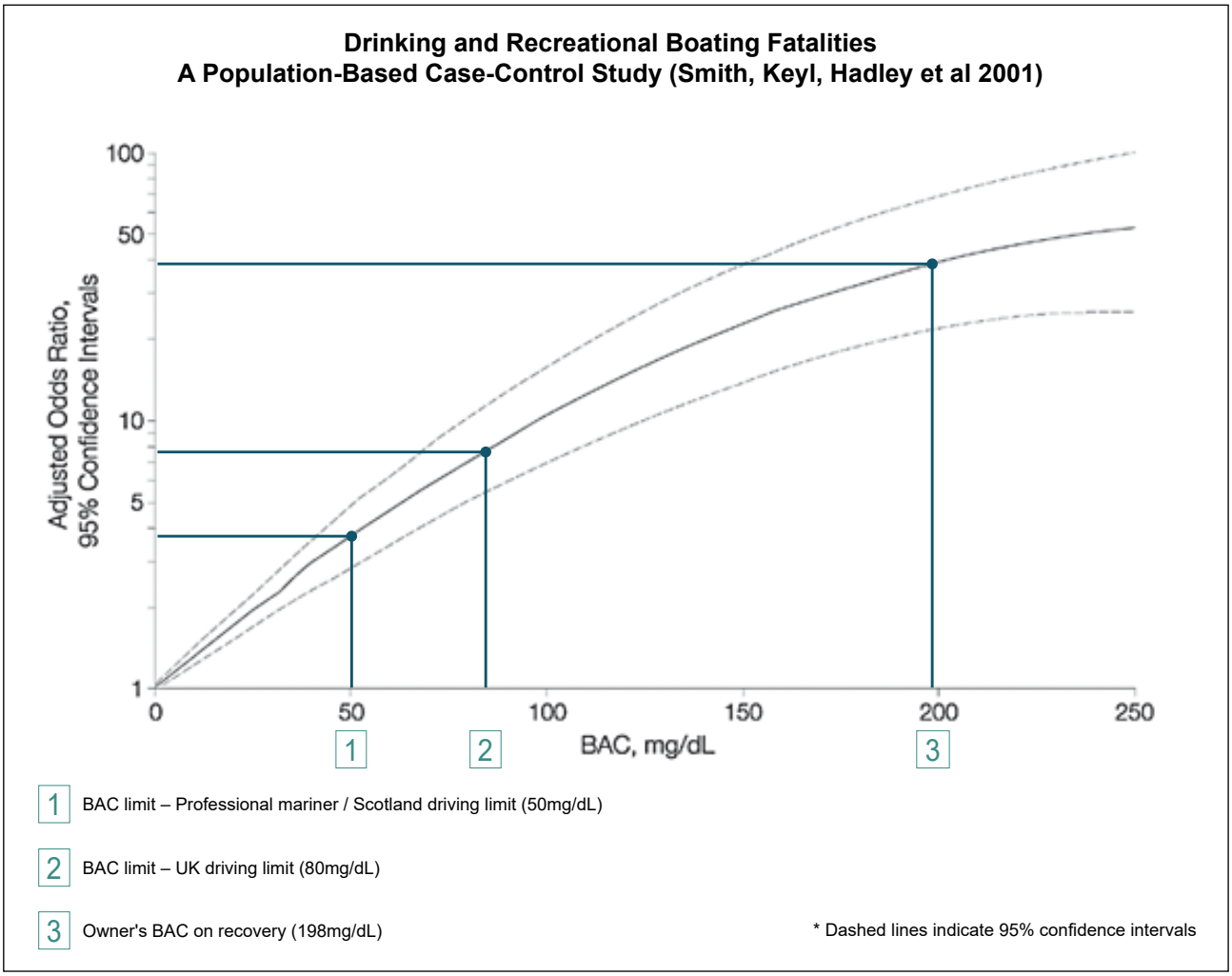

Figure 6: Relative fatality risk while boating by BAC (mg/dL), Maryland and North Carolina, USA*

1.8.2 Alcohol consumption regulation in the international pleasure boat sector

In the worldwide pleasure boat sector, alcohol consumption was generally subject to limits on the permissible alcohol concentration in blood or breath in line with the national limits for driving on the road. **Table 3** summarises the international applicable limits that applied at the time of the accident.

[15] Smith, G.S. et al, (2001) Drinking and Recreational Boating Fatalities: A Population-Based Case-Control Study. JAMA.

Country	BAC limit (mg/dL)
UK	None
New Zealand	None
France	50
Italy	50
Spain	50
Croatia	50
Finland	10
Sweden	20
Australia	50
Japan	30
USA[16]	80

Table 3: International BAC limits for recreational boat users

In the USA, the National Association of State Boating Law Administrators (NASBLA) coordinated a programme of awareness and enforcement activities titled Operation Dry Water[17]. Started in 2009, the programme involved both state and federal agencies. Statistics gathered by Operation Dry Water to document the effectiveness of the programme showed a marked decline in alcohol-related incidents, injuries and fatalities since its inception **(Figure 7)**. The various state limits on BAC were supplemented by national advice and education programmes such as the Sober Skipper programme delivered by the non-profit Sea Tow Foundation, intended to highlight the number of preventable boating-related accidents, injuries and deaths on the water **(Annex A)**.

1.8.3 Strategies to control alcohol consumption in the air and road transport sectors

The road and air transport sectors both had long-enforced statutory limits on alcohol consumption for anyone whose activities could compromise safety if they were impaired. The RaTSA explicitly aligned commercial aviation functions with those conducted privately, stating that *it is immaterial whether a person performs a function or carries out an activity in the course of an employment or trade or otherwise*. The alcohol limits[18] therefore applied whether an aircraft was being operated privately or commercially.

The Road Safety Act 1967 established the first statutory blood alcohol limit for drivers in the UK. The Act enabled the use of roadside breath testing, marking the start of systematic enforcement of limits on alcohol consumption on drivers in the UK. Police officers were able to undertake preliminary breath tests where they had a reasonable suspicion that someone may be under the influence of alcohol, had committed a moving traffic offence, or been involved in a road traffic

[16] Laws varied by state. The typical threshold was 80mg/dL, although lower limits existed for some states and commercial operators.

[17] NASBLA Operation Dry Water

[18] Breath – 9µg/dL; blood – 20mg/dL; urine – 27mg/dL. The respective limits for a licensed aircraft maintenance engineer were 35µg/dL 80mg/dL and 108mg/dL.

collision. Following the introduction of the breathalyser in the UK along with a heavy government advertising campaign, there was a marked decrease in the percentage of alcohol-related road traffic accidents.

In 1979, around 8% of reported road collisions were drink-driving related. This fell to about 5% by 1990 and has generally stayed around 5% since then. From 1979 to 2023, road traffic collisions fell by 59% overall. In comparison, alcohol-related road traffic collisions fell by 77% in the same period.

The prevalence of drink-driving in road deaths has also fallen over time. Official statistics published by DfT in 2023[19] reported that 26% of road deaths in 1979 involved collisions where at least one driver or rider was over the drink-driving limit.

Image taken from National Association of State Boating Law Administrators

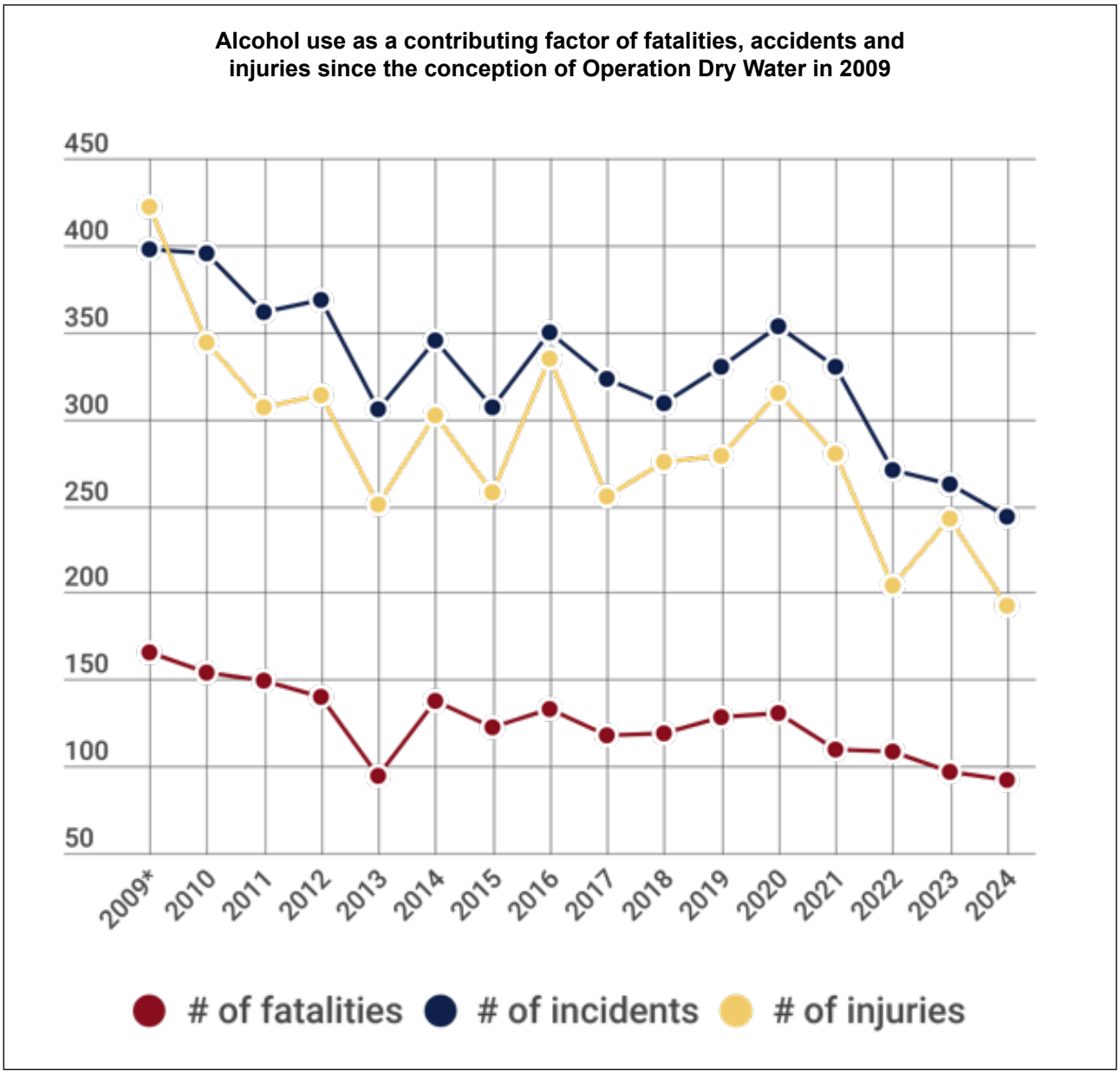

Figure 7: Graph showing the decline in injuries and fatalities due to boating accidents in the USA between 2009 and 2024 where alcohol was a contributory factor

[19] DfT Reported road casualties in Great Britain, involving illegal alcohol levels: 2023

This had fallen to 15% by 1989. The percentage of drink-driving road deaths up to 2023 varied between 12% and 18%. In 2023, the proportion of drink-driving road deaths was 16% **(Figure 8)**.

The plateauing of the incidence of alcohol-related deaths on UK roads shown in the DfT report contributed to the decision to reduce Scotland's BAC limit to 50mg/dL in 2014, and the UK government's formation of a road safety strategy in 2025 aiming to match this reduction elsewhere.

A 2010 review of drink and drug driving law[20] commissioned by the DfT stated that:

> *Strategies combining effective enforcement of heavy penalties for drink driving backed by high profile advertising have contributed to these successes. Significantly, there has also been a cultural shift where, for the majority of the public, drink driving is no longer considered acceptable.*

The report referenced the 2010 *Review of effectiveness of laws limiting blood alcohol concentration levels to reduce alcohol-related road injuries and deaths* published by NICE.

Image courtesy of the Department for Transport (2025)

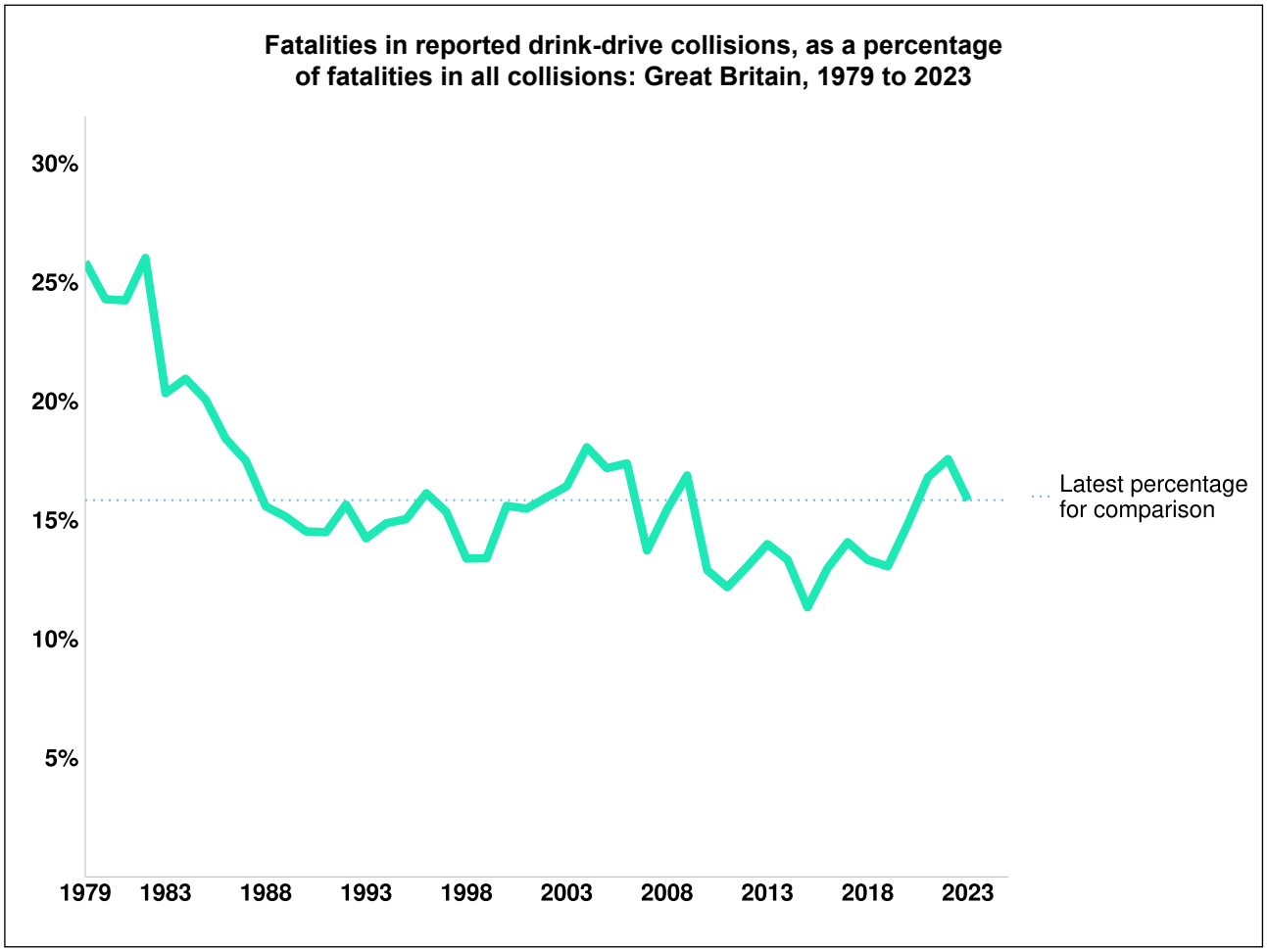

Figure 8: Graph showing the annual decline in fatalities on UK roads between 1979 and 2023 where alcohol was a contributory factor

[20] Report of the Review of Drink and Drug Driving Law

1.8.4 Use of personal flotation devices in the pleasure boat sector

A PFD is wearable equipment designed to provide buoyancy and help keep a person afloat in water. PFDs vary by design and intended use, from buoyancy aids for active water sports to type-approved lifejackets that can turn an unconscious wearer face-up should they enter the water.

The wearing of a PFD was a dominant factor influencing the outcome for someone entering the water. A 10-year descriptive analysis of MCA data on lifejacket use and drowning prevention covering the period from 2007 to 2016[21] concluded that *Potentially 180 lives (82% of all cases successfully categorised) could have been saved if a lifejacket had been worn*. The study provided a rationale for the use of lifejackets and assisted in targeting national and activity-specific campaigns for water safety and lifejacket use.

In the summer months between 2013 and 2019 the RNLI, in collaboration with the National Coastwatch Institution (NCI), completed an annual survey of PFD usage in the UK boating community. The rate of recorded PFD wear was low. Activity type and age were both influencing factors, with approximately 74% of children and 45% of adults identified as wearing PFDs.

Pleasure boating in the UK covers a wide variety of waterborne activities. Unlike the commercial and fishing sectors, the pleasure boat sector relied on a mix of non-statutory guidance, club rules, training standards, and risk-based expectations from the MCA. Sector-based organisations such as the RNLI and RYA provided individual guidance on the selection and use of lifejackets[22], and also collaborated with the MCA on a boating safety checklist highlighting the need to wear an appropriate lifejacket **(Annex B)**.

1.9 PREVIOUS ACCIDENTS

Regulation 6 of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012[23] required certain persons associated with a ship to report accidents to the MAIB. However, Regulation 4 disapplied this requirement to pleasure vessels and vessels hired on a bareboat basis. The MAIB does not therefore hold a comprehensive dataset of pleasure vessel accidents, which limits its ability to perform detailed analyses of such incidents.

1.9.1 *Carrie Kate* and *Kets* – collision, with loss of 1 life

On 16 July 2005, two powerboats collided near Castle Point, St Mawes, England resulting in one fatality. The investigation (MAIB report 6/2006[24]) concluded that both helmsmen were operating their vessels while under the influence of alcohol and were over twice the drink-driving limit for road vehicles.

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[21] Pointer,.K. et al, (2018) *A 10-year descriptive analysis of UK Maritime and Coastguard data on lifejacket use and drowning prevention*, Safety Science, Volume 109.

[22] RNLI Safety: Lifejackets

[23] The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 were replaced with the Merchant Shipping (Accident Reporting and Investigation) Regulations 2026 on 15 May 2026.

[24] MAIB report 6/2006: Carrie Kate and Kets

While the report noted that there was no speed limit in the waters of St Mawes Harbour, it also concluded that the closing speed of the vessels was a key factor in the collision. The report made a recommendation to the DfT to:

> *Work closely with the RYA, MCA and other relevant stakeholders to realise the urgent introduction of national regulations to establish limits on the amount of alcohol which may be consumed by operators of leisure vessels.*

1.9.2 *Sea Snake* – grounding, with loss of 3 lives

On 10 July 2005, the powerboat *Sea Snake* crashed at high speed into a low cliff near the entrance to the inner harbour at Tarbert, Scotland. Three people lost their lives, and three others were seriously injured. The investigation (MAIB report 10/2006[25]) concluded that a combination of the effects of fatigue and excessive alcohol consumption was most likely the main contributory factor to the accident. The powerboat was also being operated at an unsafe speed for the location and prevailing conditions.

The MAIB considered that the only appropriate recommendation as a consequence of this investigation was that identical to that made to the DfT in the case of *Carrie Kate* and *Kets*.

1.9.3 *Sooty* – grounding, with loss of 1 life

On 18 May 2009, the 6.3m RIB *Sooty* grounded on the rocky shores of Calve Island off Tobermory, Scotland at a speed of about 20kts. One of the boat's four occupants was thrown onto the rocks on impact, suffering fatal injuries. The coxswain and the deceased were both found to have a BAC more than three times over the road drink-driving alcohol limit. The investigation (MAIB report 22/2009[26]) concluded that:

> *Many accidents involving leisure craft are alcohol-related, and until an alcohol limit is imposed on non-professional mariners in all UK waters, the enforcement of alcohol limits by harbour authorities will be fragmented, and it will have little value as a deterrent.*

The report also stated that:

> *In view of the MAIB's previous recommendation regarding the introduction of national regulations establishing limits on the amount of alcohol which may be consumed by operators of leisure vessels, and the work currently being undertaken by the DfT in respect of the proposed implementation of Section 80 of the Railways and Transport Safety Act 2003 no further recommendations are considered necessary.*

1.9.4 *Morfil* and *Sun Clipper* – collision

On 1 June 2011, the privately owned RIB *Morfil* collided with the passenger ferry *Sun Clipper* on the River Thames, London. *Morfil*'s two crew were pitched into the water on impact but were quickly recovered, shocked but uninjured. The investigation (MAIB report 8/2012[27]) found that *Morfil*'s coxswain was under the

[25] MAIB report 10/2006: Sea Snake

[26] MAIB report 22/2009: Sooty

[27] MAIB report 8/2012: Morfil and Sun Clipper

influence of alcohol and did not take action to avoid *Sun Clipper* until shortly before the collision. It also identified that *Morfil*'s speed was significantly greater than the 12kts limit recommended by the Port of London Authority. The DfT was recommended to:

> *Expedite the commencement of the subsections to Section 80 of the Railways and Transport Safety Act 2003, in order to implement the limits on the amount of alcohol which may be consumed by persons in charge of pleasure vessels.*

1.9.5 *Rib Fargo* – allision, with loss of 1 life

On 16 May 2022, the Senior Coroner for Dorset started an investigation into the death of David John Haw who died as a result of an allision between the RIB *Fargo* and a navigation buoy in Poole Harbour, England on 2 May 2022.

The Coroners and Justice Act 2009 and Regulation 28 of the Coroners (Investigations) Regulations 2013 provided a coroner with the power and duty to issue a prevention of future deaths report when, during an investigation or inquest, the coroner believes that action should be taken to prevent other deaths occurring in similar circumstances. On 20 December 2024, the Senior Coroner for Dorset issued a prevention of future deaths report following the inquest into the death of Mr Haw[28].

Among other concerns raised in the report was the *lack of legislation prohibiting the use of alcohol or drugs by those who are helming a vessel for private or pleasure use, whereas for those helming a commercial vessel, there is*. The report also noted that Section 80(3) of the RaTSA was not in force. Another matter of concern was that PFDs were not legally required to be carried on all vessels, nor was there any legal requirement to wear lifejackets. The DfT responded on 25 February 2025, noting that:

> *… the Railways and Transport Safety Act provides alcohol limits and corresponding offences for professional mariners, however no proscribed limits for alcohol have been set for recreational mariners … there is already an offence which can be applied in these circumstances under the Merchant Shipping Act 1995. To date, the Department has held three consultations on this issue, the latest a request for evidence to inform a review of the position in 2021. Responses have continued to demonstrate the significant challenges to the introduction of alcohol (and drug) limits for recreational mariners. These noted strong views, both for and against. They also highlighted that the number of serious incidents involving recreational mariners where alcohol was a causal factor is, thankfully, extremely low and that statistics alone do not support the introduction of a national limit. We will continue to keep the evidence base under review and to work with partners in the sector focussing on improving awareness of the risks of drinking and sailing.*

On the wearing of PFDs, the DfT response referred the Senior Coroner for Dorset to the range of guidance and best practice advice for recreational boats contained in MGN 599 (M) Amendment 1.

[28] David Haw: prevention of future deaths report

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

William Blake and Gary Huntington were fatally injured when the RIB *Peaky Blinder* struck navigation beacon 81 in Portsmouth Harbour.

This section of the report will examine the circumstances of the accident, including the recreational use of *Peaky Blinder*, its speed, and the consumption of alcohol by the owner, who was the RIB's coxswain. It will also examine the use of PFDs, the control of alcohol consumption in the recreational boat sector, and enforcement of requirements within Portsmouth Harbour.

2.3 THE ACCIDENT

2.3.1 Impact with navigation beacon 81

The weather conditions were benign with good visibility and calm waters in Portchester Lake. When *Peaky Blinder* turned to port immediately before the allision with navigation beacon 81 it passed through a heading of 282°, directly into the low setting sun. Although he was wearing sunglasses, it is likely that the owner's vision was partially impaired by the sunlight reflected on the water's surface, hiding the relative location of navigation beacon 81. It is also possible that this was a dazzle event where his vision was temporarily completely impaired.

Because the owner had not anticipated the manoeuvre and was not monitoring *Peaky Blinder*'s position relative to the channel, it was almost certain that he was unaware of his proximity to navigation beacon 81 before making the turn to rejoin the channel.

When *Peaky Blinder* entered its final turn the RIB rolled to port, lifting its starboard side clear of the water. *Peaky Blinder* contacted navigation beacon 81 at an angle that resulted in the significant damage to the RIB's starboard side.

The violent deceleration caused by the sharp turn and the impact with navigation beacon 81 caused all three people on board to be thrown forward and to starboard. It was not possible to determine how the owner and passenger 1 sustained their injuries.

Peaky Blinder's engine was not running when the RIB *Tryptic* arrived. It is therefore likely that the owner had attached the kill cord when the RIB departed from Haslar Marina and that it functioned as intended.

Two of the three occupants of *Peaky Blinder* were killed after they were ejected from *Peaky Blinder* when the RIB turned to port to rejoin the channel in Portchester Lake and struck navigation beacon 81 at high speed.

2.3.2 Passage up Portsmouth Harbour

Peaky Blinder headed north past HMNB Portsmouth after leaving Haslar Marina. The RIB's speed in this portion of the voyage was greater than the 10kts limit in place, but not substantially so when compared with other sections of the voyage. The owner was familiar with the port and it is likely that he was aware of the speed limitation in place, clearly signposted at the entrance to the harbour. It is also possible that his decision to motor at a slower speed was influenced by the proximity of HMNB Portsmouth, with its accompanying presence of the MDP, combined with other craft proceeding at a similar speed in the southern region of the port.

Once *Peaky Blinder* entered the marked channel adjacent to Whale Island, with less traffic and in familiar waters clear of HMNB Portsmouth, it is likely that the owner felt able to safely increase to the RIB's maximum speed, as he had routinely done in the past.

The owner was likely distracted by the events that occurred at Haslar Marina a short time before, when one of the passengers fell into the water and he was subject to a prank with *Peaky Blinder*'s kill cord. He was not maintaining an effective lookout to enable him to monitor the RIB's position and make effective decisions for the RIB's safe navigation.

As *Peaky Blinder* headed north to the eastern side of the channel, the owner's position on the starboard side of the boat meant his field of view was predominately ahead. The effect of the alcohol he had consumed through the day reduced his attentional capacity and cognitive resources that would have enabled him to both recognise and correct the impending departure from the channel at an early stage in the passage.

It is therefore unlikely that the owner was meeting the intent of the IRPCS for maintaining a lookout that would allow him to fully appraise *Peaky Blinder*'s situation as the RIB progressed up Portsmouth Harbour.

Passenger 2 was sat on the port side of *Peaky Blinder* and was better positioned to recognise that the RIB was outside the channel. When they alerted the owner to their location, it is likely that the owner was subject to a surprise event, requiring a rapid evaluation of the situation and a decision on the action to take. The owner would have been aware of the mud flats ahead and to starboard.

Peaky Blinder was travelling at approximately 45kts before the turn to port, covering about 23m every second. The high speed that *Peaky Blinder* was travelling at significantly reduced the time available for the owner to assess the situation and decide on a course of action.

Peaky Blinder was operating at an unsafe speed immediately before the allision, placing the occupants on board and those on other vessels at risk.

2.3.3 Effects of alcohol

The owner had consumed about 22 units of alcohol in the approximately 7 hours before the accident.

The consumption of alcohol causes a reduction of inhibition, increasing the likelihood of a person undertaking reckless or thrill-seeking behaviour such as speeding. The NHS reference material indicated that judgement and decision-making are affected

even at moderate levels of intoxication, as are reaction time and coordination. Given the amount of alcohol consumed by the owner, it is therefore almost certain that he was unable to process the factors on which the safety of those on board *Peaky Blinder* depended before committing to the turn to port in his attempt to regain the channel.

The ability of a person at the helm of a fast-moving craft to make effective decisions after consuming alcohol was a factor that led to the deaths of six people and injuries to others in the accidents involving *Carrie Kate* and *Kets* in 2005, *Sea Snake* in 2005, *Sooty* in 2009, *Morfil* and *Sun Clipper* in 2011, and *Rib Fargo* in 2022.

The operator of *Peaky Blinder* was under the influence of alcohol at the time of the accident. The effects of the alcohol consumed substantially increased the likelihood of an accident occurring.

2.3.4 Survivability

The postmortem and toxicology reports confirmed the nature of the injuries suffered by both the owner and passenger 1 and the presence of significant quantities of alcohol in their blood and urine.

The pathologist noted the injuries to both the owner and passenger 1 and introduced the possibility that both were likely to have been rendered unconscious by their injuries.

The owner and passenger 1 were not wearing a means to rotate them and hold their airways clear of the water. This placed them at significant risk of drowning had their injuries not been fatal.

It is unknown whether hypothermia, and the increased risk of hypoglycaemia due to the presence of an elevated BAC, as highlighted in MGN 193 (M+F) Amendment 2, played a part in the outcome of the accident. The temperature of the water in Portsmouth Harbour and the nature of the injuries reduced the likelihood that this was the case.

The provision and use of PFDs that may provide a means to maintain a person's airway clear of the water is not a requirement on pleasure boats such as *Peaky Blinder*. PFDs were neither being worn by the members of the group on board at the time of the accident nor carried on board as part of the RIB's equipment.

The excursions undertaken by groups of friends on *Peaky Blinder* were social events. It is unlikely that the risks associated with entering the water were appreciated or considered, even though the RIB was routinely used for high-speed passages. It is possible that the routine swimming activity undertaken during the excursions on *Peaky Blinder* might also have contributed to the perception that entry into the water did not entail a significant risk to the occupants.

The lack of use of PFDs on boats being used for recreational purposes was identified in the MAIB report into the *Carrie Kate* and *Kets* collision and is supported by the research conducted by the RNLI and NCI between 2013 and 2019. Advice on basic safety equipment in leisure boats and encouragement for the use of PFDs is widely available from the MCA, RNLI and RYA.

The provision and use of PFDs to mitigate the risks associated with a person entering the water in the pleasure boating community remains low and places people at risk of serious harm.

The omission to equip *Peaky Blinder* with suitable PFDs for the use of people on board meant they were not available to reduce the significant risk should a person enter the water.

2.4 THE REGULATION OF ALCOHOL IN THE PLEASURE BOAT SECTOR

All of the accidents identified in this report involved an element of social drinking before taking control of a pleasure boat. In each case, the investigations concluded that the effects of alcohol on the performance of the person in control of the various vessels contributed to the accident.

It is evident that the consumption of alcohol in a proportion of the recreational boating community forms a core part of the social activity the use of the boats involves.

On land, in communities where the social norms were weak – such as among certain age groups or social settings – drink-driving on the roads remained an ongoing problem. The recreational boating sector did not have a framework of legislation, enforcement and guidance that would support the development of a social prejudice against alcohol consumption within the community. This led to the normalisation of drinking in a recreational maritime setting without regard to the risk it entailed.

Under Section 58 of the Merchant Shipping Act 1995 it was an offence for the conduct of a master or seaman to endanger ships, structures or individuals while under the influence of drink. Without setting BAC limits, or any framework for enforcement, the content of section 58 was difficult to apply in a manner that would influence behaviours in the recreational boating community.

The RaTSA came into force in 2004, bringing into effect alcohol limits for professional mariners and a framework for police officers to undertake testing for alcohol consumption. Section 80 of RaTSA dealt with non-professional mariners but three core sections were not brought into force with the remaining sections of the Act.

The referenced accident reports in this report all indicate that the MAIB has repeatedly noted the regulatory gap between professional and non-professional mariners and the risks it brings with it. These risks have also been highlighted by industry bodies such as the BPA and UKHMA, both of which called for alcohol limits to be imposed on pleasure boats. The lack of regulation was also highlighted by the Senior Coroner of Dorset in their prevention of future deaths report regarding the accident on the RIB *Fargo*.

Despite successive recommendations being made to bring into effect the RaTSA requirements for non-professional mariners, the effect has been limited.

The implementation of alcohol limits for road transport brought about significant reductions in alcohol-related accidents. The implementation of alcohol limits on UK roads was supported by effective enforcement and wide-ranging national promotional campaigns.

The UK drink-driving legislation had the effect of substantially reducing the number of deaths and injuries over decades. The long-term effect of the implementation of drink-driving limits was to influence the behaviours of road users in the UK to the degree that drink-driving became socially unacceptable:

- people became less likely to take the risk of drinking and driving
- friends and family were more likely to intervene to prevent someone driving
- public campaigns were impactful because they reinforced existing expectations
- legal penalties felt more legitimate and aligned with shared values.

The 2001 study completed in the USA and that undertaken in 2010 by NICE in the UK both demonstrated that the risk of an accident occurring after drinking alcohol was significant, and increased with the level of BAC in a person's body. The study carried out in the USA by NASBLA showed that a coordinated framework of enforcement and education had the potential to reduce the number of incidents where alcohol is a factor.

With no set limit on the permissible BAC for non-professional mariners, the UK stands out in the international community. The enforcement of alcohol limits internationally has resulted in fewer accidents when accompanied by effective strategies for the promotion of the risks associated with alcohol consumption by recreational boat operators.

The systems of regulation, enforcement and education for the maritime recreational community in the UK were ineffective as a means of influencing the behaviours of water users on alcohol consumption, placing them and others at risk.

2.5 ENFORCEMENT OF SPEED LIMITS IN PORTSMOUTH HARBOUR

Portsmouth Harbour had a speed limit of 10kts that extended from the harbour entrance throughout the entirety of the port. There was limited scope for the enforcement of the speed limit in the northern sections of the harbour. The MDP had a defined role in the area of HMNB Portsmouth, and the Hampshire & Isle of Wight Constabulary Marine Support Unit had a limited presence within the harbour. The harbour patrol operated by the KHM Portsmouth did undertake patrols and enforcement of the byelaw that set the speed limit within the harbour, but its effect on the behaviours in the port was limited.

Peaky Blinder was able to transit the channel to Port Solent on numerous separate occasions in the year before the accident at speeds significantly higher than the area's speed limit. That the owner of *Peaky Blinder* was able to do so without any enforcement action being initiated by any of the agencies that held the power to do so is indicative of an ineffective system of control within the port.

It is unlikely that the various agencies in Portsmouth Harbour had the resources available to undertake enforcement of speed limits within the harbour to the extent necessary to generate behavioural change among regular users of the port.

SECTION 3 – CONCLUSIONS

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

1. Two of the three occupants of *Peaky Blinder* were killed after they were ejected from *Peaky Blinder* when the RIB turned to port to rejoin the channel in Portchester Lake and struck navigation beacon 81 at high speed. [2.3.1]

2. *Peaky Blinder* was operating at an unsafe speed immediately before the allision, placing the RIB's occupants and those on other vessels at risk. [2.3.2]

3. The operator of *Peaky Blinder* was under the influence of alcohol at the time of the accident. The effects of the alcohol consumed substantially increased the likelihood of an accident occurring. [2.3.3]

4. The omission to equip *Peaky Blinder* with suitable PFDs for the use of people on board meant they were not available to reduce the significant risk should a person enter the water. [2.3.4]

5. The systems of regulation, enforcement and education for the maritime recreational community in the UK were ineffective as a means of influencing the behaviours of water users on alcohol consumption, placing them and others at risk. [2.4]

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

1. It is unlikely that the various agencies in Portsmouth Harbour had the resources available to undertake enforcement of speed limits within the harbour to the extent necessary to generate behavioural change among regular users of the port. [2.5]

3.3 OTHER SAFETY ISSUES NOT DIRECTLY CONTRIBUTING TO THE ACCIDENT

1. The provision and use of PFDs to mitigate the risks associated with a person entering the water in the pleasure boating community remains low and places people at risk of serious harm. [2.3.4]

SECTION 4 – ACTION TAKEN

4.1 MAIB ACTIONS

The **MAIB** has issued a safety flyer to the pleasure boating community **(Annex C)** to promote the use of suitable PFDs during recreational activity.

SECTION 5 – RECOMMENDATIONS

The **King's Harbour Master Portsmouth** is recommended to:

2026/152 Take appropriate action to improve adherence to the speed limit contained in the Dockyard Port of Portsmouth Order 2005. This is to address the associated risks of collisions and serious injury resulting from vessels being operated at unsafe speeds in confined harbour waters.

The **Secretary of State for Transport** is recommended to:

2026/153 Make an order to commence the requirements contained in subsections 80(1), 80(2) and 80(3) of the Railways and Transport Safety Act 2003. This is to address the risk of accidents arising from impaired decision-making and reduced situational awareness resulting from the consumption of alcohol.

2026/154 Develop and enact proportionate secondary legislation to define the scope of application of subsection 80(3) of the Railways and Transport Safety Act 2003 using the powers contained in subsection 80(4) of the Act. This is to support effective enforcement of alcohol limits and reduce the risk of unsafe levels of alcohol consumption.

2026/155 Develop and implement a national strategy for the delivery of an effective educational and awareness campaign. This is to increase awareness of the risks arising from impaired decision-making and reduced situational awareness resulting from the consumption of alcohol and to promote behavioural change in the recreational boating sector.

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

Annex A

Sea Tow Foundation Sober Skipper flyer

TAKE THE PLEDGE!

SOBER SKIPPER

SEA TOW FOUNDATION

Taking the Pledge to be the Sober Skipper means:

1. Safely operate any boat, no matter the size, without consuming alcohol or drugs
2. Be responsible for your boat and all of your passengers.
3. Be or designate a sober skipper for every boating trip.

RNLI Boating Checklists

Image courtesy of the RNLI

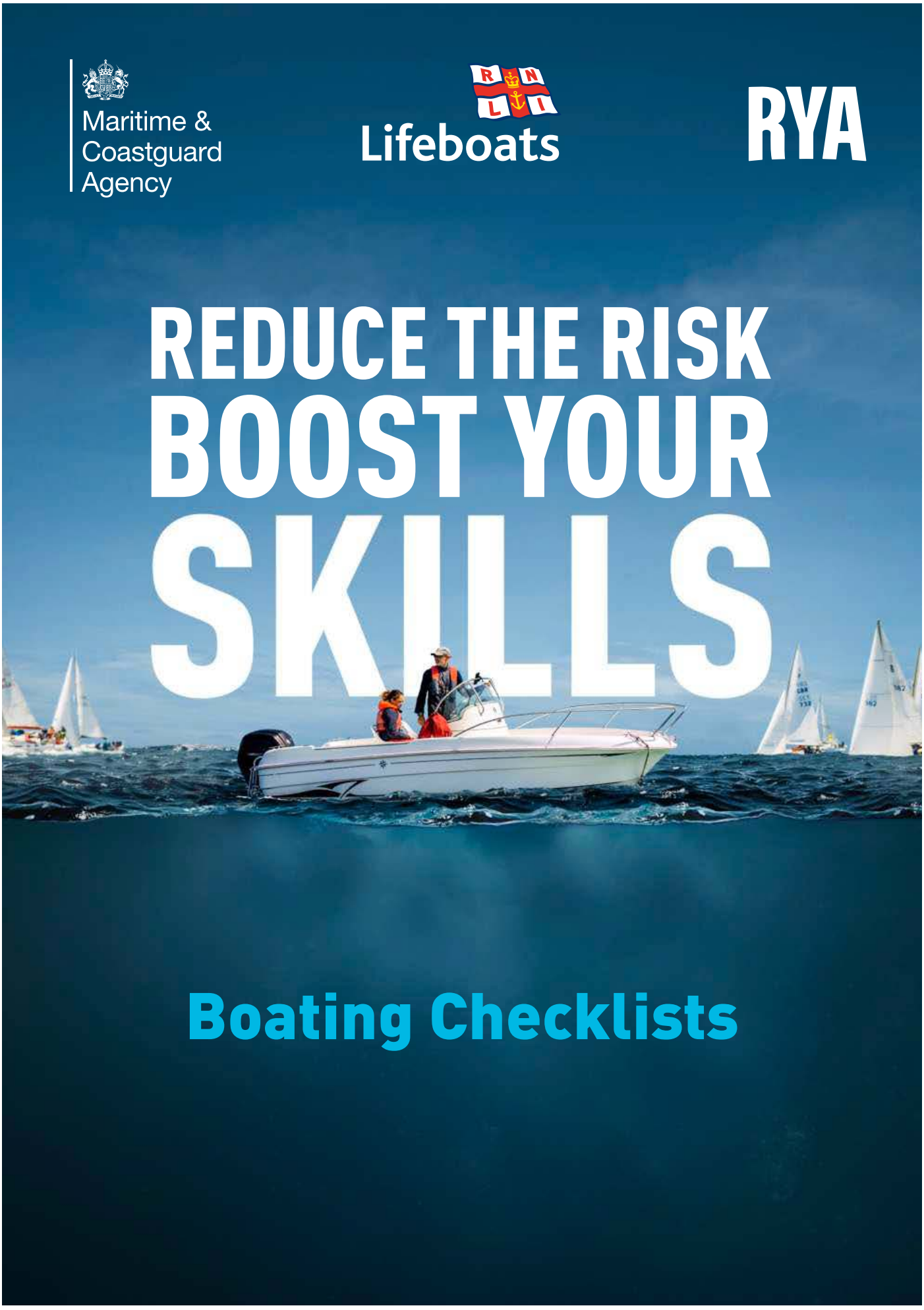

Image courtesy of the RNLI

INTRODUCTION

As a boater, you'll know how quickly things can go wrong at sea. That's why it's so important to **stay prepared.**

Complacency and forgetfulness are two of the biggest risks you'll face. So, keep these **essential checklists** onboard and follow our **expert advice** for your best shot at trouble-free boating.

Image courtesy of the RNLI

PRE-SEASON CHECKLIST:

- ☐ Boost your skills and complete any training you might need. You can find courses at **RYA.org.uk** and **sailing.ie**.
- ☐ Check and service your boat and equipment (for example: hull, engine, rigging and steering).
- ☐ Check and service your safety equipment (for example: lifejackets, liferafts and flares).
- ☐ Check and service your engine (including fuel and filters).

MY NOTES

Image courtesy of the RNLI

BEFORE YOU GO AFLOAT:

- [ ] Check the weather forecast and tide times.
- [ ] Plan your passage, and tell someone ashore where you're going and how long you'll be gone.
- [ ] Check your lifejackets and make sure they're fitted correctly.
- [ ] Check onboard equipment and safety equipment.
- [ ] Check your engine, fluid levels and bilge.
- [ ] Check the kill cord is working if fitted.
- [ ] Check your engine for cooling water through the exhaust or tell tale.
- [ ] Let the engine warm up.
- [ ] Check the forward and reverse gears.
- [ ] Make sure your crew are wearing appropriate clothing for the conditions and the forecast.
- [ ] Brief your crew and include safety considerations (see **crew briefing card**).

MY NOTES

Image courtesy of the RNLI

CREW BRIEFING CARD

- ☐ Discuss the passage plan and expected weather.
- ☐ Check whether your crew have any medical conditions or welfare concerns.
- ☐ Make sure your crew are wearing appropriate clothing for the conditions and the forecast.
- ☐ Check lifejackets are fitted correctly.
- ☐ Share the location of emergency equipment (such as the liferaft, flares and fire extinguishers).
- ☐ Discuss man overboard procedures and how to call for help.
- ☐ Identify a second in command and ensure they know how to call for help and operate the engine.

MY NOTES

Image courtesy of the RNLI

WHILE YOU'RE UNDERWAY:

- [ ] Wear your lifejacket.
- [ ] Always keep a lookout.
- [ ] Make sure your speed is appropriate for the weather conditions and environment you're in.
- [ ] Check the gauges and fuel levels regularly.
- [ ] Monitor VHF channel 16 and local channels/the harbour master channel.
- [ ] Regularly check in with your crew.
- [ ] Check for lines over the side.
- [ ] Always operate at a safe speed.
- [ ] Monitor the weather conditions and pay attention to the forecast and visibility.
- [ ] Have a means of calling for help, like a handheld VHF or mobile phone in a waterproof pouch.

MY NOTES

Image courtesy of the RNLI

EMERGENCY ACTION PLAN

MAN OVERBOARD:

- [ ] Throw a flotation aid.
- [ ] Point to the person in the water while maintaining visual contact with them.
- [ ] Mark the position using the MOB button on the chart plotter.
- [ ] Send a distress message using the DSC distress alert and voice message.
- [ ] Recover the person from the water.

IF THE SKIPPER IS INCAPACITATED:

- [ ] Nominated second in command to take control.
- [ ] Call for help.

MY NOTES

Image courtesy of the RNLI

EMERGENCY VHF RADIO CALLING PROCEDURE

☐ Switch to high power. Go to channel 16.

☐ Activate DSC alert if fitted.

☐ Press and hold transmit button and say:

MAYDAY, MAYDAY, MAYDAY
THIS IS ...
[Your name 3 times]

MAYDAY,
[Your name]

MY POSITION IS...
[Describe position and give GPS location if possible]

WE ARE...
[Describe the nature of the distress, the assistance required, number of people and craft followed by any further information]

SAY 'OVER' and wait for a response.

MY NOTES

Image courtesy of the RNLI

For more tips and advice scan here or visit: **RNLI.org/StayPrepared**

Maritime & Coastguard Agency

Lifeboats

RYA

Photos: RNLI, Andrew Parish

The Royal National Lifeboat Institution (RNLI), a charity registered in England and Wales (209603), Scotland (SC037736), the Republic of Ireland (CHY 2678 and 20003326), the Bailiwick of Jersey (14), the Isle of Man (1308 and 006329F), the Bailiwick of Guernsey and Alderney, of West Quay Road, Poole, Dorset, BH15 1HZ

MAIB safety flyer to the recreational craft industry

MAIB

MARINE ACCIDENT INVESTIGATION BRANCH

SAFETY FLYER TO THE RECREATIONAL CRAFT INDUSTRY

Allision of the rigid inflatable boat *Peaky Blinder* with a navigation beacon resulting in two fatalities in Portsmouth Harbour, England on 14 August 2025

Peaky Blinder

Narrative

On 14 August 2025, two people died when they were thrown into the water after the rigid inflatable boat *Peaky Blinder* allided with a navigation beacon in Portsmouth Harbour. The accident occurred when *Peaky Blinder* was returning from a social excursion to various locations in and around the Solent and Isle of Wight. Alcohol consumption featured centrally throughout the day.

None of the three friends on board were wearing a personal flotation device (PFD). The owner and one of his friends were injured in the accident and possibly rendered unconscious before they entered the water. The friend was recovered in the immediate aftermath of the accident, but could not be resuscitated. The owner sank from view, and his body was found 5 days later.

Safety lessons

1. The consumption of alcohol and the speed of *Peaky Blinder* were found to significantly contribute to the accident. However, had the people on board been wearing PFDs their chances of survival would have been higher.

2. The MAIB's investigation into the accident highlighted that the provision and use of PFDs in the pleasure boating community remains low, placing people at risk of serious harm should they unintentionally end up in the water.

3. A PFD may provide buoyancy to help keep the wearer's airway clear of the water and reduce fatigue while awaiting rescue. Some PFDs are designed to turn a person face up in the water if they are unconscious.

4. The MAIB strongly recommends that anyone in a boat wears a PFD where there is a possibility they may enter the water.

This flyer and the MAIB's investigation report are posted on our website: www.gov.uk/maib

For all enquiries:
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Publication date: July 2026

Extract from The United Kingdom Merchant Shipping (Accident Reporting and Investigation) Regulations 2026 – Regulation 5:

The sole objective of a safety investigation into an accident under these Regulations is the prevention of future accidents through the ascertainment of its causes and circumstances. It is not the purpose of such an investigation to determine liability nor, except so far as is necessary to achieve its objective, to apportion blame.

NOTE

This safety flyer is not written with litigation in mind and, pursuant to Regulation 19(1) of The Merchant Shipping (Accident Reporting and Investigation) Regulations 2026, shall be inadmissible in any judicial proceedings concerning liability unless the Chief Inspector of Marine Accidents or a court of law determine otherwise.

Marine Accident Report