

INCIDENT FILE

First conviction under new safety law

A man who crashed his speedboat into a 15 year old kayak paddler near Milford Haven was sentenced to 12 months in jail, suspended for two years, in the first prosecution by the Maritime & Coastguard Agency under recent watercraft safety legislation.

Adam Russell, 28, of Burton, Milford Haven, was sentenced at Swansea Crown Court over a life threatening incident which took place on 11th August 2024 on the River Cleddau.

In addition to the suspended prison term, Russell must complete 15 hours of required activity and 200 hours' unpaid work and pay his victim a total of £1,676 in compensation for damage to property and personal injury plus £3,000 prosecution costs.

It is the first prosecution under the Merchant Shipping (Watercraft) Order 2023, introduced in 2024 to empower prosecution of anyone who puts others at risk by using powered watercraft of any size in a dangerous manner, including small motorboats and jet skis.

The court heard how the crash near Milford Haven wrecked the boy's single kayak and left him with cuts and bruising to his arms and lower lip.

He has not returned to watersports since, describing the experience in his witness statement as 'terrifying'.

Moments before the impact Russell had been seated, steering a single

engine duo prop speedboat upstream at unsafe speeds of up to 40km/h which lifted the bow and obscured his vision. He was carrying six passengers, including children.

Coming in the opposite direction was the victim in a group with his father and friends in brightly coloured kayaks and wearing red personal flotation devices.

The kayak paddler spotted Russell's vessel approaching near Rudders Boatyard, an area with which Russell was familiar and which is known as a busy location for moorings and leisure activities.

The teenager tried to paddle out of the way but, unable to see the danger, Russell changed course and struck the kayak, driving over the victim and throwing him into the water.

The MCA led the prosecution with support from Dyfed Powys Police and Milford Haven Port Authority.

Judge Geraint Walters said 'Just like our roads, our seas and our rivers are not playgrounds. They are required by all of us to recognize the risk to others innocently going about their business.'

MCA Investigator Paul Atkins said 'This case shows the importance of keeping a proper lookout and operating safely. It was a very close call; if circumstances had been only slightly different there could have been a terrible tragedy.'

