

Accident Report

Man Overboard/Fatality

East Ocean

30 October 2004

Class A





East Ocean

REPORT NO.: 04 3589

VESSEL NAME: *EAST OCEAN*

Ship Type:	Commercial Fishing
Certified Operating Limit:	Offshore
Port of Registry:	Tauranga
Flag:	New Zealand
MSA No.:	128084
Built:	1997
Construction Material:	Fibre Reinforced Plastic
Length Overall (m):	33.3
Maximum Breadth:	6.21
Gross Tonnage:	138
Net Tonnage:	48
Registered Owner:	Pescatore Fishing Ltd
Ship Operator/Manager:	Pescatore Fishing Ltd
SSM Company:	Survey Nelson Ltd
Accident Investigator:	Andrew Hayton

SUMMARY

At midday on 30 October 2004, the fishing vessel *East Ocean* anchored in Port Hutt, Chatham Islands (See Figure 1 – Chartlet of Chatham Island). The Skipper and Engineer went ashore for the day leaving the other three crewmembers onboard. Whilst ashore, the Skipper and Engineer visited friends and spent some time at the Waitangi Hotel. At approximately 2145 hours they arrived back at the anchorage and decided to row a small dinghy back to *East Ocean*.

When coming alongside their vessel, the Engineer jumped for the sea door, located in the starboard bulwark of the vessel, and missed. He clung to the bulwark for a few seconds before losing his grip and falling into the sea. The Skipper tried in vain to reach him in the dinghy but was unable to row against the prevailing weather. The Engineer failed to grab a lifebuoy, with line attached, which the crew on board *East Ocean* threw into the water. The Skipper and Engineer were not wearing lifejackets. The Engineer is missing presumed dead.

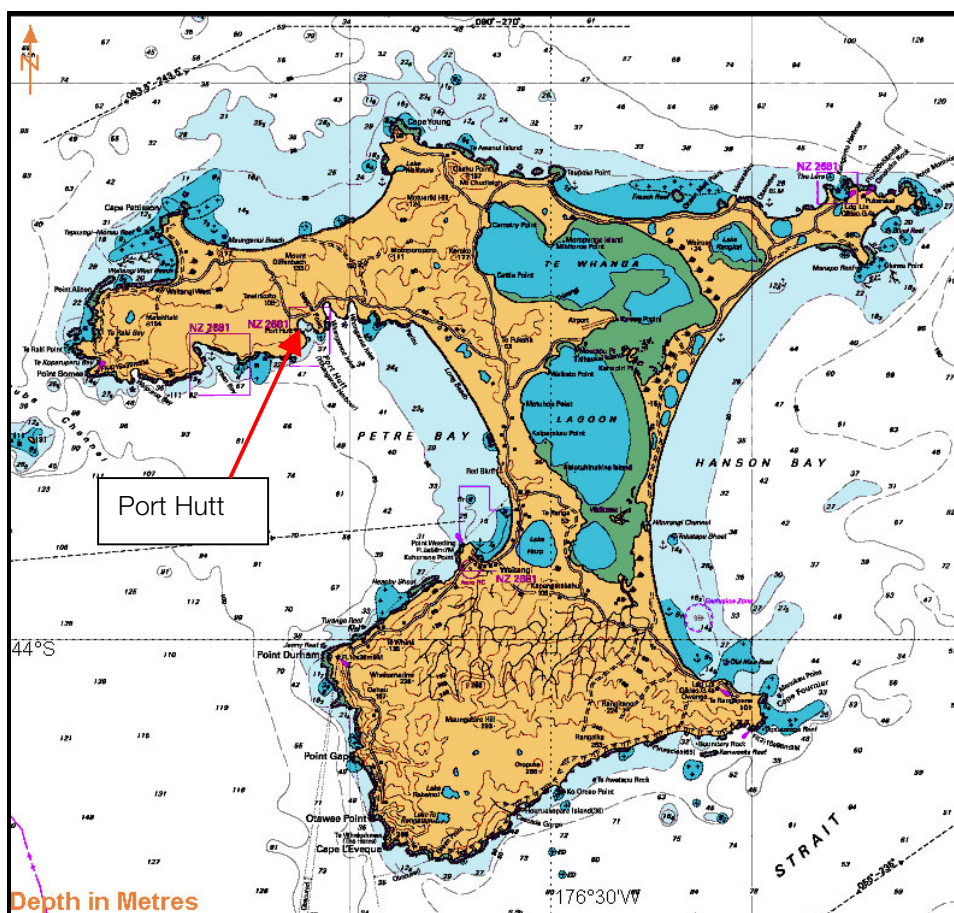


Figure 1
Chartlet – Chatham Island

NARRATIVE

East Ocean is a New Zealand flagged long line fishing vessel. It has a length overall of 33.3 metres and a gross tonnage of 138. It was built in South Korea in 1997 and is of Fibre Reinforced Plastic construction.

East Ocean is owned by Pescatore Fishing Ltd. They have owned the vessel for approximately 4 years.

The Safe Ship Management (SSM) Company is Survey Nelson Ltd. No deficiencies were noted at the last SSM inspection.

The vessel's last Flag State Inspection was conducted on 24 June 2004. Four deficiencies were noted on that date, one being the fact that the crew could not converse with the Skipper due to their inability to speak satisfactory English. The vessel is certified to ply Offshore limits by the Maritime Safety Authority.

The unnamed dinghy is owned by a local Port Hutt fisherman and is of moulded plastic construction. It has a length overall of 4.5 metres, and a maximum beam of 1.3 metres. It would have had approximately 20 centimetres of freeboard with two occupants onboard.

The dinghy was propelled by oars. It had two wooden oars, each of 1.8 metres length, which were positioned in rowlocks when rowing. The rower had to sit on an upturned fish bin as the amidships thwart was missing.

The dinghy was not equipped with any lifejackets or life saving equipment. It had a five-metre bowline attached.

At the time of the accident, a Skipper, engineer and five deckhands, manned **East Ocean**. The Skipper was a New Zealander. He was 55 years of age and held a Skipper of a Deep Sea Fishing Vessel Certificate of Competency, issued in 1982. The Skipper had 30 years experience of sailing on fishing vessels and had been Skipper of **East Ocean** for 12 months prior to the accident.

The engineer of **East Ocean** was a 55-year-old Japanese citizen and resident of New Zealand. He held a Japanese 4th grade Engineer Certificate of Competency issued in 1984. On the basis of this Certificate, he was granted a New Zealand Certificate of Recognition of a level 1DTE (First Class Diesel Trawler Engineer). He had sailed on **East Ocean** for 12 months prior to the accident.

East Ocean's five deck hands were all Indonesian nationals who possessed New Zealand work permits. They had sailed onboard **East Ocean** for several months prior to the accident and had previous experience working on fishing vessels.

The Skipper and Engineer spoke fluent English. The deckhands spoke either very poor or no English.

THE ACCIDENT

On Saturday 30 October 2004, at approximately 1200 hours Chatham Islands Daylight Time (CIDT), **East Ocean** anchored in Port Hutt, Chatham Island. The Skipper had entered the anchorage to shelter from the weather and to process fish. He also needed to go ashore to make a phone call to the vessel's owner.

Shortly after the vessel was safely anchored, the Skipper's son-in-law came alongside in his boat and picked up the Skipper and Engineer to take them ashore for the day. The five deckhands stayed onboard to keep anchor watch and process the catch of fish.

The Skipper asked one of his friends, who lives in a house overlooking Port Hutt, to 'keep an eye' on **East Ocean** and to contact him if concerned about the vessel. Whilst ashore, **East Ocean's** Skipper and Engineer visited friends and also spent time at the pub in Waitangi.

At approximately 2145 hours, after returning to Port Hutt, the Skipper and the Engineer made a joint decision to use a small open dinghy (See *Photograph 1*) to row back to **East Ocean**. The Skipper volunteered to row, as he was the more experienced oarsman. The Engineer sat at the stern of the dinghy.



Photograph 1
Dinghy

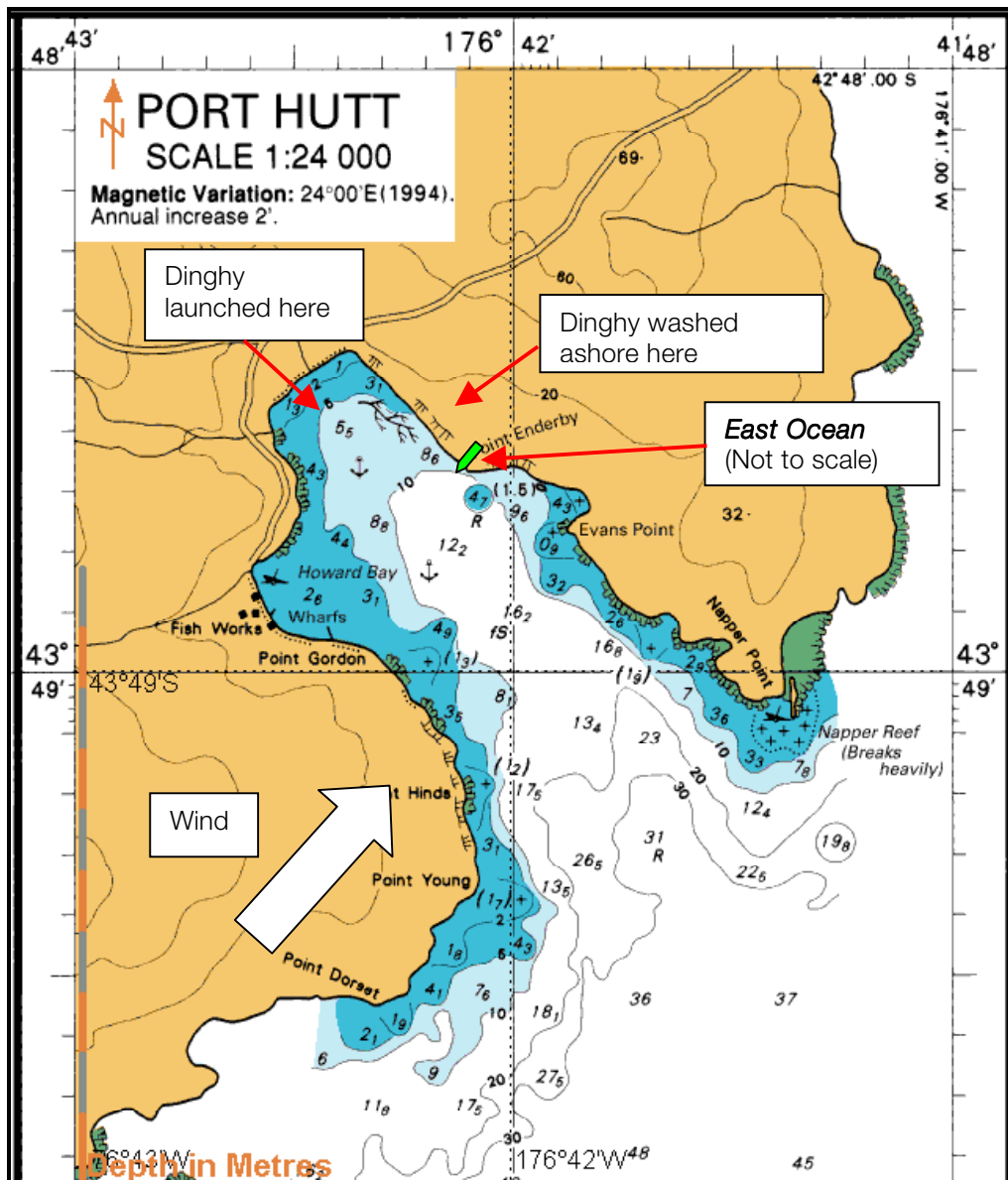


Figure 2

After the Skipper had been rowing for approximately five minutes, the sea became rougher than they had expected. They decided to continue towards **East Ocean** but thought that if it got any worse, they would let the wind push them across to the other side of the harbour where they would walk back and use the boat that took them ashore that afternoon.

Approximately 15 minutes after leaving the shore, the dinghy arrived off the starboard side of **East Ocean**. When closing on the vessel's starboard side, the Skipper shipped the port oar of the dinghy in preparation for coming alongside. Because **East Ocean** was laying head to wind, it was providing no lee for the dinghy and the boat was pitching quite heavily. The Skipper told the Engineer to remain seated until the dinghy was safely made fast alongside.

When the dinghy was not quite alongside, the Engineer stood up and jumped towards the side of **East Ocean**. He missed the sea door but managed to cling on to the bulwark aft of the sea door (See *Photograph 2*). The only thing to hold on to in this position was the rubbing strake. In jumping from the dinghy, the Engineer forced the stern of the dinghy away from the side of **East Ocean**.

After briefly holding onto the side of **East Ocean**, the Engineer lost his grip and fell into the sea. The Skipper was desperately trying to re-ship the port oar and get back to the Engineer who was calling out for help.

Because of the increase in freeboard when the Engineer left the dinghy, there was a greater windage area and as the dinghy was lying beam on to the wind and sea, the dinghy was blown astern of **East Ocean** faster than the Engineer was floating astern.

Upon hearing the calls of the Skipper and Engineer, the five deckhands, who were in the wheelhouse, rushed to the stern of **East Ocean** and threw a lifebuoy towards the engineer. The lifebuoy had a heaving line attached and, as the Engineer drifted astern, the deckhands tied another rope onto the end of the heaving line to lengthen it. The buoy landed within arms reach of the Engineer but he made no attempt to grab it. When the deckhands last saw the Engineer before he drifted into the night, he was floating face down and not moving.

The Skipper tried in vain to row against the wind and seas but became exhausted and unable to row any more. He let the wind and sea carry the dinghy to the north east part of the anchorage where it was thrown onto the rocky shore and landing upside down on top of the Skipper.

The Skipper eventually extricated himself and utterly exhausted made his way around the head of the bay to raise the alarm.

When the Skipper finally arrived at his friends' house, they called the Police.

COMMENT & ANALYSIS

Evidence

On 2 November 2004, an Accident Investigator from the Maritime Safety Authority (MSA) interviewed the Skipper of **East Ocean** at Port Hutt in the Chatham Islands. The Police Officer in charge was also spoken to in regard to the incident and the Skipper's Police statement obtained.

On 5 November 2004, another MSA Accident Investigator attended **East Ocean** whilst it was berthed in Wellington. He interviewed the remaining crewmembers.

East Ocean's Details

No rescue boat is carried onboard **East Ocean**. It is not a requirement to carry such a boat if a vessel is under 45 metres in length.

The sea door on the starboard side of **East Ocean** would have been approximately 1.2 metres above sea level at the time of the accident. The door is approximately 1.0 metre wide. The height of the bulwark abaft the sea door is approximately 1.0 metre (See *Photograph 2*).



Photograph 2

East Ocean is equipped with 4 lifebuoys. The buoy located at the stern of the vessel is fitted with a heaving line of 30 metres in length.

East Ocean is fitted with an awning over the working deck. Beneath this awning are fluorescent lights that cast a loom over the side of the vessel to a distance of approximately five metres. The sea door is well lit. All of the vessels squid lights were swung inboard at the time of the accident.

Crew Details

At the time of the accident, the Engineer was wearing a polo neck shirt and track suit pants underneath a set of coveralls. He was also wearing a polar fleece jacket and a pair of gumboots.

The Engineer was in good health and was agile.

East Ocean's Engineer was not a watch keeper and he was well rested at the time of the accident. He had had approximately eight hours of rest each night prior to the accident.

Weather Details

When **East Ocean** arrived at the anchorage, the Skipper estimated the wind to be southwesterly with a strength of approximately 25 knots and very little swell.

When the Skipper and Engineer set off in the dinghy to return to **East Ocean**, the Skipper estimated the wind to be south westerly at a strength of approximately 30 knots. The sea was more choppy than it had been earlier. The wind freshened whilst they were rowing back to the vessel.

The sky was partly cloudy and the moon had not risen.

At the time of the accident it was approximately half tide. The tide was ebbing. The sea temperature was approximately 10°Celsius.

Port Hutt



Photograph 3
Overall View of Port Hutt

East Ocean was anchored in a position where the charted depth is approximately 9 metres. The vessel had between 80 and 100 metres of anchor cable and wire set.

The distance between the dinghy's launch site and **East Ocean** was approximately 400 metres.

There is a great deal of kelp within the anchorage.

The British Admiralty 'New Zealand Pilot' publication states:

The inlet (Port Hutt) is sheltered from all directions but with a heavy sea in the entrance, and with strong winds between SE and SW some swell sets in. A vessel should therefore anchor as far in as possible, in the positions shown on the National large-scale chart.

Tidal Streams. Off the entrance the in-going stream sets N and the out-going stream sets S.

It has been reported that Port Hutt seems to be the best harbour in the Chatham Islands, usually free from swell.

CONCLUSIONS

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

This accident, as in so many others was not the result of one catastrophic event but rather an accumulation of several smaller ones.

Both men had consumed a quantity of alcohol before the accident. Alcohol and boats are a dangerous mix. Alcohol consumption, even in small quantities, affects judgment. It also exaggerates self-confidence. The effects of drinking when aboard a small boat can be far more serious than when ashore. In the water, especially at night, alcohol reduces the ability to sense direction. Alcohol consumption can cause unsteadiness in an environment where good balance is needed with the movement of the boat.

No lifejackets were carried or worn.

The weather and sea state was too severe for a trip in a small dinghy. That no accident had occurred on the short crossing between the shore and anchored vessels in Port Hutt persuaded people over many years to take what they thought was an acceptable risk. Familiarity with a particular course of action is often a prelude to a tragic accident

There was no communication equipment onboard.

The men went out in the boat at night and no one ashore could see their predicament.

The deckhands' lack of English meant that they could not raise the alarm via radio.

The sea temperature in Port Hutt results in the rapid onset of hypothermia once a person is in the water. Alcohol causes the surface blood vessels to dilate which results in rapid cooling of the body as well as other physiological changes. The onset of hypothermia can occur, as much as 50% earlier than if the person had not been drinking.

The Skipper and the owners of the vessel had not identified tendering operations as a potential hazard.

SAFETY RECOMMENDATIONS

1. The owner should ensure that the skippers of his company's vessels complete their hazard identification registers and ensure this is kept up to date.
2. The owner should ensure that the skippers of his company's vessels conduct regular man overboard drills.
3. Even though not a requirement, the owner should give consideration to the carriage of a rescue boat onboard *East Ocean*.
4. The vessel's owner should ensure that all crewmembers are conversant in English; English being the working language of the vessel. It is extremely difficult for skippers to conduct proper safety familiarisation and training if crewmembers are unable to comprehend instructions and advice.