



**REPORT INTO THE INCIDENT
ON BOARD THE
"ATLANTIC DAWN"
ON 12 OCTOBER, 2002
RESULTING IN THE DEATH
OF ONE CREWMEMBER**

The Marine Casualty Investigation Board was established on the 5th, June 2002 under The Merchant Shipping (Investigation of Marine Casualties) Act 2000

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1. SYNOPSIS.

- 1.1 On the morning of Saturday the 12th of October, 2002 the fishing vessel "Atlantic Dawn" was on passage from Las Palmas to Holland. Crewmember Mr. Michael McGuinness became entangled in net handling machinery and died as a result of injuries sustained.

2. FACTUAL INFORMATION

2.1 DESCRIPTION OF THE VESSEL

| | |
|---------------------|--|
| Name of Vessel: | Atlantic Dawn |
| Owner: | Atlantic Dawn Ltd. Killybegs, Co. Donegal. |
| Port of Registry: | Sligo |
| Official Number: | 403416 |
| IMO Number: | 9204556 |
| Gross Tonnage: | 14055 |
| Registered Length: | 134.30 Metres |
| Registered Breadth: | 24.00 Metres |
| Length Overall: | 144.60 Metres |
| Cruising Speed: | 17 Knots |
| Machinery Output: | Main Engines 2 x MaK 8M43 of 7200Kw Aux. Engine 1 x 3840Kw 1 x 2880Kw Shaft Gen. 2 x 3200Kw @ 120RPM Emerg/Harbour generator 500Kw |
| Class: | DNV +1A1, Stern Trawler, RM,EO |
| Deck Machinery | 2 x Split Trawl winches, 105t 1 x top line winch, 68t 2 x net drums, 70t 2 x purse seine winches, 60t 1 x tail end winch, 57t 1 x purse net winch, 30t 2 x 12t deck cranes 2 x 5/4t net handling cranes 2 x 4t deck cranes 1 x 4t fish pump crane |
| Navigation | Radars 2 x Furuno ARPA + 1 x Furuno Colour Radar 2 x Roberston Autopilot 2 x Roberston Gyro Compasses |
| GMDSS | 1 x Furuno Radio Console |

CONTD.

2.2 CREW LIST

| <u>NAME</u> | <u>RATING</u> | <u>NATIONALITY</u> | |
|---------------------------|--------------------|--------------------|-----------------|
| John Reilly | Skipper | Irish | |
| Kevin McHugh | 1st Mate | Irish | |
| Michael McGuinness | Deck Boss * | Irish | Deceased |
| Donal McGuire | Deckhand | Irish | |
| Ronan Doran | Chief Engineer | Irish | |
| Sean O'Connell | Engineer | Irish | |
| Kieran Sheehan | Engineer | Irish | |
| James Dean | Engineer | Irish | |
| Andrew McMorro | Engineer | Irish | |
| Martin Holliday | Engineer | British | |
| Igoris Rodionovas | Engineer | Lithuanian | |
| Anatolij Vtiurin | Engineer | Lithuanian | |
| Sergej Batrygin | Engineer | Russian | |
| Valerij Verbovskij | Cook | Lithuanian | |
| Einars Lisenko | Sailor | Latvian | |
| Eduards Aleksejevs | Sailor | Latvian | |
| Artis Berzups | Sailor | Latvian | |
| Arturs Aleksejevs | Sailor | Latvian | |
| Eduards Agapitovs | Sailor | Latvian | |
| Dmitrijs Kovila | Sailor | Latvian | |
| Andrejs Smirnovs | Sailor | Latvian | |
| Jonas Gecas | Sailor | Lithuanian | |
| Arturas Ceinorius | Sailor | Lithuanian | |
| Petras Meilius | Sailor | Lithuanian | |
| Genadij Burin | Sailor | Lithuanian | |
| Yuri Ivano | Sailor | Ukrainian | |
| Oleksiy Ycikob | Sailor | Ukrainian | |

* On official crew list as "Deck Boss"

- 2.3** Mr. Guinness was an experienced seafarer and had served on the "Atlantic Dawn" since the vessel had left the builders as new in the year 2000. He had previously served on the fishing vessel 'Veronica' for seven years. He had a responsible position on board as Deck Boss.
- 2.4** Michael McGuinness was on board about four weeks and was due to go home in about a week.
- 2.5** The "Atlantic Dawn" is the largest fishing vessel under the Irish Flag. The vessel has a length overall of 144.60 metres and a Gross Tonnage of 14,055 tonnes. The vessel is two years old and is fitted with modern deck gear suitable for moving large nets appropriate to the size of the vessel. The vessel is operated on a no alcohol policy.

- 2.6 The net handling crane on the port side where the accident occurred was in good working order prior to the accident. The net handling crane was manufactured in Norway, the maker is SM Triplex and the type is KNR-50. The crane has a Safe Working Load of 4.00 tonnes.
- 2.7 There was a crew of twenty-seven on board, including nine Irish, one British, seven Lithuanian, seven Latvian, two Ukrainian and one Russian.
- 2.8 The "Atlantic Dawn" was not manned in accordance with the Minimum Safe Manning document and did not comply with manning regulations on the date of the accident.

3. EVENTS PRIOR TO THE INCIDENT

- 3.1 Michael McGuinness was on watch on the wheelhouse from 8.00 pm on the 11th October until 1.45 am on the 12th October.
- 3.2 According to Mr. McGuire who was on watch with Michael McGuinness they both went to their respective cabins after watch having arranged to start work on deck at 11.00 am.
- 3.3 It was a fine and clear Saturday morning. The Skipper Mr. John O'Reilly was on watch when Mr. McGuinness came to the wheelhouse at about 10.00 am. According to the skipper Michael McGuinness appeared in good form and was looking forward to the day ahead.
- 3.4 Michael McGuinness told the Skipper he was going to do some work aft and requested that he be allowed power up the aft gear.
- 3.5 According to Mr. Donal McGuire he arose about 10.00 am and went to the galley for breakfast and to look for Michael McGuinness. When Michael McGuinness was not to be found in the galley according to Mr. McGuire he went to the cabin of Michael McGuinness on the lower deck and when he did not find him there he stated that he looked for Michael McGuinness on the lower deck at the stern.
- 3.6 Mr. McGuire said that he then proceeded to the wheelhouse where he saw Michael McGuinness lying under the power block of the port side net moving crane.

4. THE INCIDENT

- 4.1 To use this net moving crane, one must attach the rope from the end of the net to the roller in order that the winch draws the net onto the roller. This is a two-person operation. The operation is best done by one person operating the controls, and another person doing the nets. Both crewmembers must work together.
- 4.2 It would appear that it was the intention of Mr. Michael McGuinness to move a new net from the rear of the bin to the front of the bin. This would have facilitated repair work on a net in the after bin.
- 4.3 The control for operating the bins were inboard the forward bin and give the operator of the controls a view down on to the lower working deck (see photos at Appendix A). Nets are pulled onto the roller by means of a rope that is attached onto the net for this purpose. Once the net is on the roller the net moving crane is very versatile in terms of movement and it is relatively easy to handle the gear and the net. There are six different levers at the control stand to handle the net moving crane.
- 4.4 Michael McGuinness was an experienced fisherman. It would appear that when pulling the net through and over the roller Michael McGuinness got snagged in the net and the rope became wrapped around the roller. Michael McGuinness was unable to free himself and suffered fatal injuries when coming into contact with the power block and net bin

5. CONCLUSIONS AND FINDINGS

- 5.1 The fatal accident to Mr. Michael McGuinness was due to the handling of the net moving crane.
- 5.2 The accident did not occur on account of mechanical failure or fault of the equipment. The equipment was noted to be in good mechanical order prior to the accident.
- 5.3 Other crewmembers may have operated the net moving equipment single handedly previously. This was not a common practice on board but may have occurred from time to time.
- 5.4 The roller control lever on the control panel does not have a spring-loaded return to neutral mechanism.

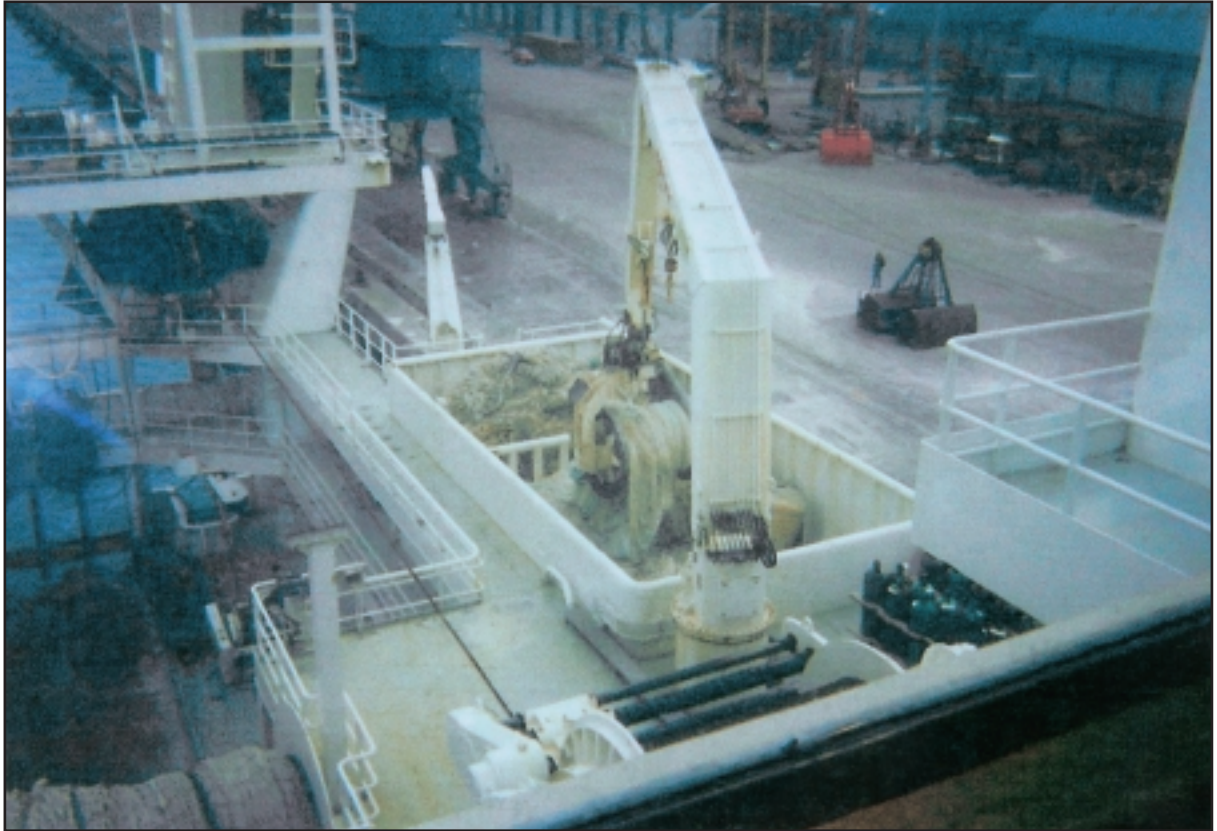
6. RECOMMENDATIONS

- 6.1 The owners of any large fishing vessel should introduce written safety procedures on board the vessel in languages that are understood by all crew regarding use of deck and other machinery. These procedures are particularly important on large fishing vessels fitted with sophisticated deck machinery. These procedures should be supplemented with warning signage where appropriate.
- 6.2 The owners/operators of fishing vessels should consider the use of spring-loaded return to neutral control levers on all deck equipment.
- 6.3 The Safety Statement on any fishing vessel should be an evolving document and risk assessment should be carried out to highlight areas of high, medium and low risk. Precautions and procedures to be followed to negate risk should be contained in the Safety Statement.
- 6.4 A Marine Notice should be issued warning seafarers regarding the dangers of not adhering to proper procedures when operating onboard machinery.

7. APPENDICES

- 7.1 Photographs of:
- the net moving crane
 - view from aft of vessel
 - view of net handling machinery

MFV "Atlantic Dawn" looking aft from wheelhouse window
Towards net moving crane on port side.



MFV "Atlantic Dawn" looking aft towards net bin on port side.



APPENDIX 7.1

CONTD.

Mr. McGuinness may have been standing in the forward section of the bin feeding the net onto the roller, immediately prior to the accident.



8. Correspondence Received

| Correspondent | Page |
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| Mrs. Marion McGuinness | 16-18 |
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Mrs Marion McGuinness
Co Donegal

3rd April 2003.

Marine Casualty Investigation Board 29-31 Adelaide Road
Dublin 2

Att: Mr. Dick Heron - Secretary
Ref: MCIB 62

Dear Sir

Please find enclosed my response to the Draft Report into the incident on board the "Atlantic Dawn" on 12th October 2002 resulting in the death of Michael McGuinness.

Yours faithfully,

Marion McGuinness

Suggested amendments to Draft report into the incident on board the "ATLANTIC DAWN"

5.3 The control for operating the bins were inside the forward bin and gives the operator of the controls a view down on to the lower working deck.

Amendment: The controls for operating the net moving crane were mid deck and gives the operator of the controls a view down on to the lower working deck.

5.4 Michael McGuinness was an experienced fisherman. It appears that he started to handle the gear by himself. It may have been that he may have wished to get the job started in advance of his fellow crewmember arriving. In the event it would appear that when pulling the net through and over the roller Michael McGuinness got snagged in the net and the rope became wrapped around the roller. Michael McGuinness was unable to free himself and suffered fatal injuries when coming into contact with the power block and net bin.

Comment: We as the family believe that, in a document of fact, there is too much reliance on opinion in this paragraph.

Amendment: It would appear that when pulling the net through and over the roller Michael Mc Guinness got snagged in the net and the rope became wrapped around the roller. Michael McGuinness was unable to free himself and suffered fatal injuries when coming in contact with the power block and net bin.

5.5 Apparently there were no witnesses to the accident.

Comment: I would prefer this either in the positive or negative whichever is the case.

6.1 This fatal accident to Michael Mc Guinness was due to the method of handling the net moving crane.

Amendment: The fatal accident to Michael McGuinness was as a result of handling the net moving crane.

6.2 The accident did not occur on account of failure or fault of the equipment. The equipment was noted to be in good order prior to the accident.

Amendment: The accident did not occur on account of mechanical failure or fault of the equipment. The equipment was noted to be in good mechanical order prior to the accident.

Comment for 6.1 and 6.2 In your introduction this draft proposes not to attribute blame or fault, but in findings and conclusions **P.IO 6.1** stating that the death was due to the method of handling the net moving crane and in **6.2** that the machinery had no faults and was in good working order, both of these imply blame and fault.

The Crew List describes Michael McGuinness as Deck Boss. This is not an official maritime term. He was officially 3rd Mate, but for this particular journey from Las Palmas to Holland he was acting 2nd Mate in the absence of the Captain. All references to Deck Boss throughout the document should be amended to 2nd or 3rd Mate whichever applies.

MCIB RESPONSE

Please note that Section 5 and Section 6 in the DRAFT Report are now Sections 4 and 5 respectively in the FINAL Report.

- | | |
|-----|--|
| 4.3 | The MCIB agrees and this paragraph has been amended accordingly. |
| 4.4 | The MCIB agrees and this paragraph has been amended accordingly. |
| 4.5 | Agreed. The MCIB has removed this point. |
| 5.1 | Noted. |
| 5.2 | Noted. |

Comment 5.1 & 5.2: The MCIB is of the opinion that these paragraphs do not attribute blame or fault, but clearly indicate the cause of the accident.

Crew List: The MCIB were provided with the crew listing for this vessel for the day in question. This crew list identified Mr. Michael McGuinness as being the "Deck Boss" and for the purposes of this report, the MCIB will maintain this rating but also notes the comments raised above.

