

Leeson Lane, Dublin 2, Ireland.
Tel: +353 1 678 2460.
Fax: +353 1 678 2159.
Freefone: 1800 202614.



**REPORT INTO THE
COLLISION BETWEEN THE
FISHING VESSELS "OLGARRY"
AND "MICHELLE" OFF
INISHDUFF NEAR KILLYBEGS,
CO. DONEGAL ON 26TH
SEPTEMBER, 1995.**

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. DETAILS OF "OLGARRY"

- 1.1 The MFV "Olgarry" was returning to Killybegs after an unsuccessful fishing trip. The fishing was cancelled due to the heavy swell which made pair trawling impossible.
- 1.2 The MFV "Pacelli" was accompanying the "Olgarry" on her return to port.
- 1.3 The Skipper, Mr. Noel McGing was in the wheelhouse in charge of the watch. He had Mr. Eamon Molloy on watch as a lookout.
- 1.4 At approximately 19.00 hours Mr. McGing went below to go to the toilet. He left Mr. Molloy in the wheelhouse in charge of the watch. The vessel was about 3.6 miles from the alteration point South of Inishduff.
- 1.5 Whilst Mr. McGing was below, Mr. Molloy was on his own in the wheelhouse. The vessel was approaching a Waypoint, where an alteration of course was necessary. As Mr. Molloy was not completely familiar with the Video Plotter on which the Waypoints were displayed, he was studying the system to see how it worked and was not keeping a proper lookout. He did not see the "Michelle" until the "Olgarry" collided with it.
- 1.6 About 19.15 hours as Mr. McGing was returning to the wheelhouse he felt a thud, as if the fishing boat had hit an object. Mr. McGing immediately went to the wheelhouse and stopped the engines where he saw that the "Olgarry" had collided with a small GRP fishing boat, the "Michelle".
- 1.7 Mr. McGing contacted the "Michelle" and found out that the boat was not seriously damaged enough to affect her seaworthiness. He cancelled the Mayday sent out by the "Michelle" and escorted her into Killybegs.
- 1.8 The "Michelle" was lifting lobster pots at the time of the collision and could not easily get out of the way of the approaching "Olgarry".

2. DETAILS OF "MICHELLE"

- 2.1 Mr. Anthony Doherty, Skipper of the "Michelle", saw the "Olgarry" approaching from a distance of about three miles. He saw the "Olgarry" when his boat was on the top of the swell, which was large, about 20 feet in height.
- 2.2 Mr. Doherty thought that the "Olgarry" would keep out of his way as he was stopped and working his lobster pots. As the "Olgarry" got closer, Mr. Doherty realised that the "Olgarry" was not going to alter course, he attempted to cut the line of the lobster pot that he was hauling, and put his boat's engine to full ahead.
- 2.3 The "Olgarry" struck the "Michelle" on the Port shoulder at a very acute angle. This last minute alteration was vital as the "Olgarry" would almost certainly have struck the "Michelle" at almost right angles, with serious consequences. The "Michelle" was struck by the upper part of the bow of the "Olgarry", which was the bluntest part of the bow.

3. SEA & SWELL CONDITIONS

- 3.1 At time of the collision a heavy swell of about 20 feet was running. This made the task of observing small boats extremely difficult as they tend not to be on the top of the swell all the time. As the "Michelle" was built of Glass Reinforced Plastic (GRP) it presented a very poor Radar Target, making radar detection almost impossible.

4. VISIBILITY

- 4.1 The visibility was very good all round, so if a proper lookout had been kept, the "Michelle" would have been easy to spot, especially as the "Olgarry" became closer.

5. MANNING

- 5.1 The "Olgarry" was manned with 9 crewmembers, two of whom had Certificates of Competency.

Mr. Noel McGing possessed a Skipper Limited Certificate Number 217 issued 10/12/68.

Mr. Gary McGing possessed a Second Hand Full Certificate of Competency Number 083 issued 24/01/95.

- 5.2 The "Olgarry" Regulations were correctly manned according to the 1988 Fishing Officers.

- 5.3 The "Michelle" was under 16.5 metres and therefore did not require a Certificate of Competency on board.

6. COLLISION REGULATIONS

6.1 Collision Regulations (Ships and water craft on the Water) Order 1984 S.I. No. 29 of 1984.

The Collision regulations shall apply to- -

- (a) all ships on the surface of the water,
- (b) all water craft on or above such surface.

The "Olgarry" was a "power driven vessel" under Rule 3 (b) "General Definitions" as she was not fishing, but returning to port.

The "Michelle" was a "vessel engaged in fishing" under Rule 3 (d) "General Definitions" as she was restricted in her ability to maneuver as she was in the process of lifting lobster pots. This definition is open to question in this case depending on whether a lobster pot line can be defined as "other fishing apparatus" which may restrict her ability to maneuver.

6.2 Under Rule 5 "Look-out" the following applies:

"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 of the risk of collision".

The watchman on board the "Olgarry" did not maintain a proper look-out as required by the above Rule 5.

6.3 Under Rule 6 "Safe Speed" the following applies:

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

The Skipper did not make sure that the "Olgarry" was proceeding at a safe speed.

6.4 Under Rule 7 (a) "Risk of collision" the following applies:

"Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt, such risk shall be deemed to exist."

The watchman did not use any of the available means to determine if risk of collision existed.

6.5 Under Rule 8(a) "Action to avoid collision" the following applies:

"Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship".

No action was taken to avoid the collision by either vessel.

6.6 Under Rule 18 (a) (iii) "Responsibilities between vessels" the following applies:

(a) "A power driven vessel underway shall keep out of the way of":
(iii) "a vessel engaged in fishing".

The "Olgarry" did not keep out of the way of the "Michelle".

6.7 In conclusion the Skipper of the "Olgarry" appears to be in contravention of the following rules under the Collision Rules, namely:-

- Rule 5 Look-out.
- Rule 6 Safe Speed.
- Rule 7 Risk of collision.
- Rule 8 Action to avoid collision.
- Rule 18 Responsibilities between vessels.

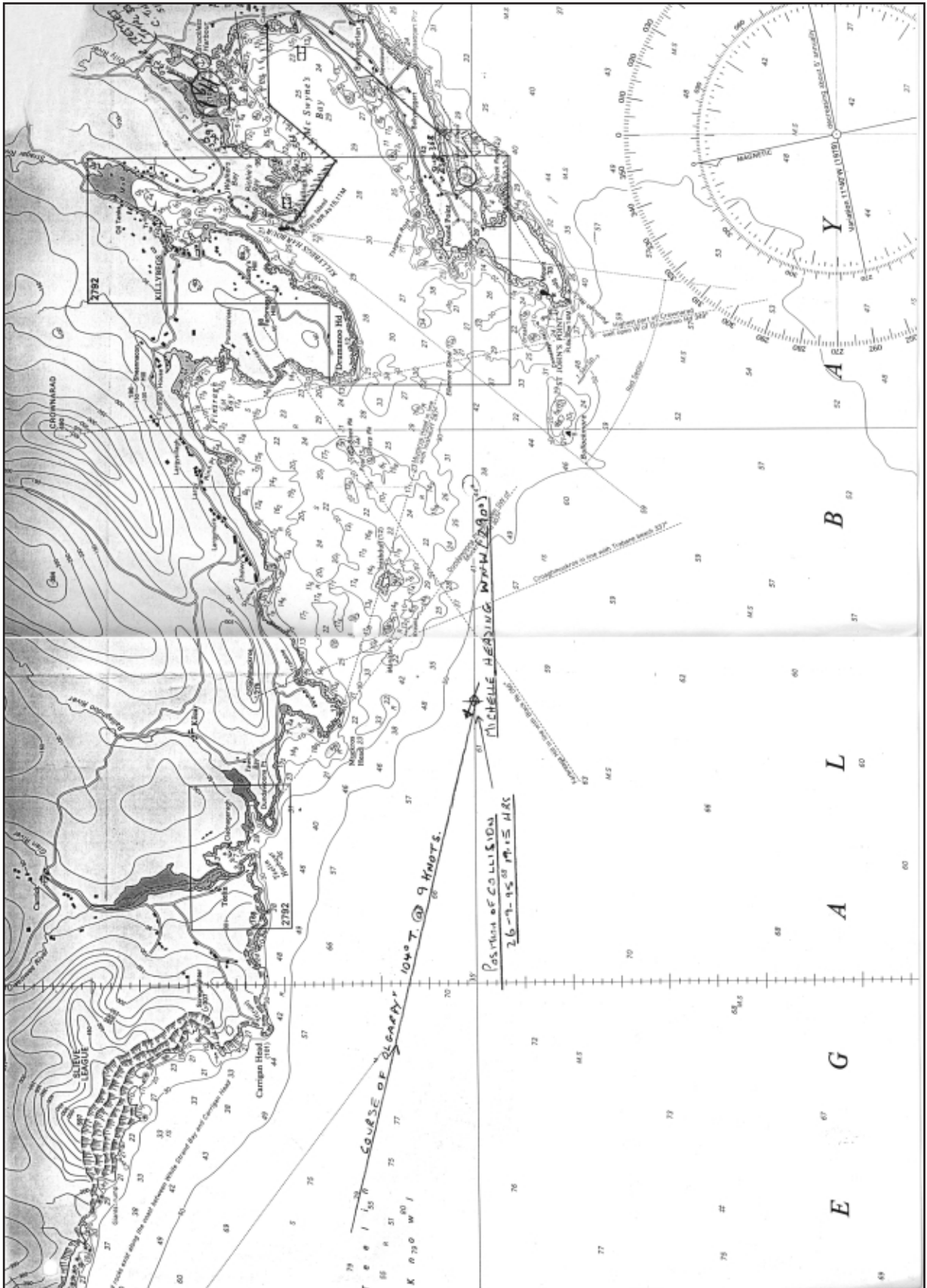
7. CONCLUSIONS

- 7.1 A proper lookout was not kept by a suitably qualified person on the board the "Olgarry".
- 7.2 The collision could have had serious consequences for the "Michelle" in that she was a far smaller boat in comparison to the "Olgarry". The "Michelle" was damaged on the forward port side, the wheelhouse, the port whaleback and shoulder.

8. APPENDICES

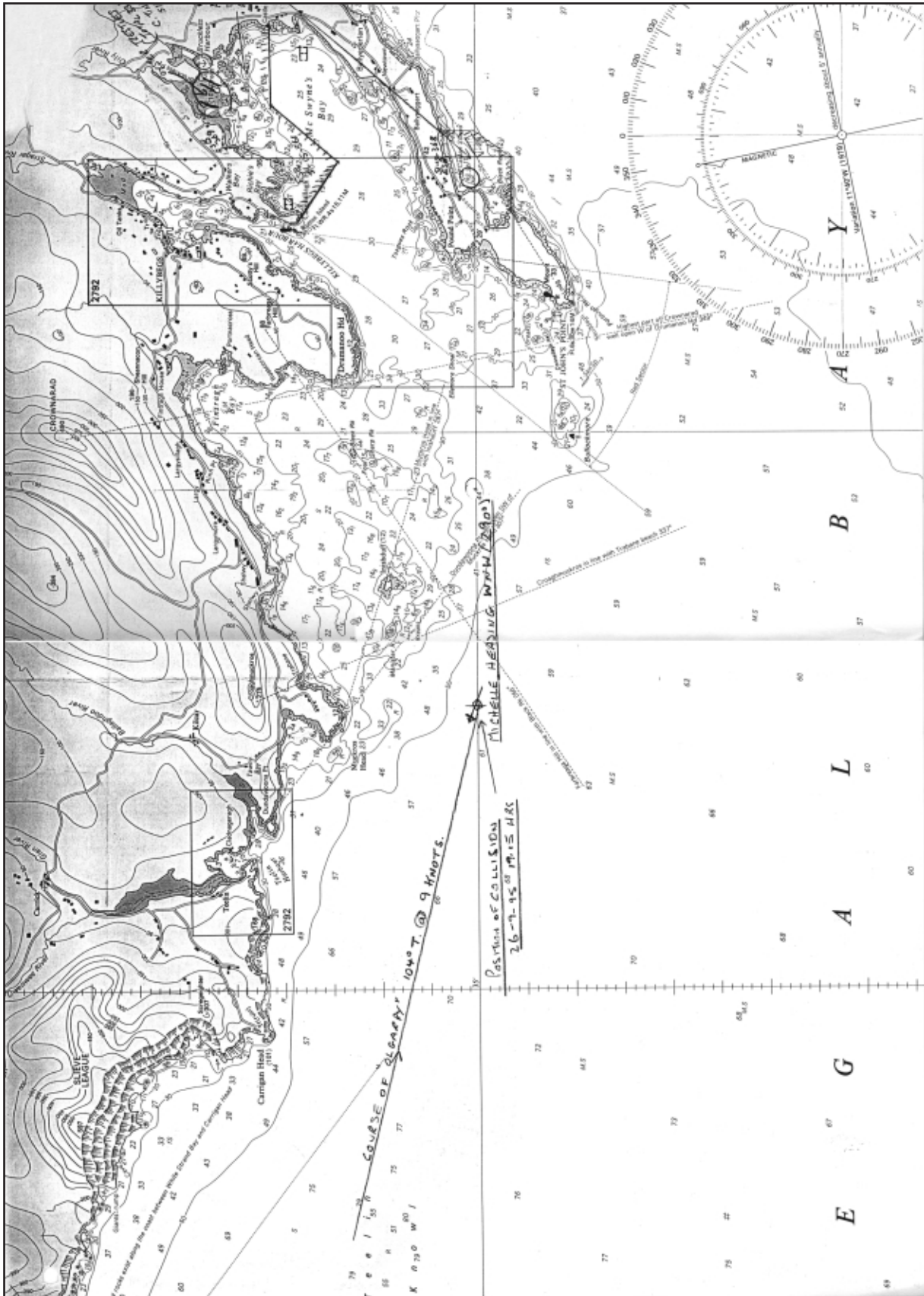
- A Details of the "Olgarry" and "Michelle".
- B Map of Killybegs harbour area
- C Copy of examination results of Mr. Noel McGing, Skipper, F.V. "Olgarry".
- D Report of casualty - WR58
- E Report of casualty - form WR1 "Michelle"
- F Report of casualty - form WR1 "Olgarry"

A Details of the "Olgarry" and "Michelle".



APPENDIX B

B Map of Killybegs harbour area



APPENDIX C

CONTD.


NAME McGINN, NOEL
 Date of Birth 16.12.41 Place Castlebar

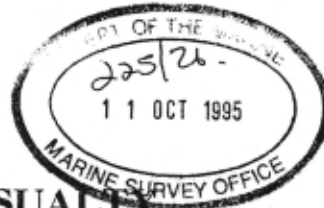
RESULTS OF EXAMINATIONS

No. of Att.	Year	Day and Month	Port	Grade of Cert.	WRITTEN				
					4	4a	4b	4c	4d
					5	5a	5b	5c	5d
					6	6a	6b	6c	6d
					9	9a	9b	9c	
					9b.	9a.	9f	9g	9h
1	1966	28/6	Public	1st Hon. Special.	P	P.			
1	1968	28/10	Public	Special. Certificate	86.	106	100.		

D Report of casualty - WR58

DEPARTMENT OF
TRANSPORT AND
POWER





Wr. 58.

REPORT OF CASUALTY

N.B.—This Report should be forwarded promptly to the Chief Surveyor as soon as the Receiver of Wreck first receives intelligence of the Casualty.

Name of Ship <i>State whether Steam, Motor or Sailing</i>	Port of Registry	Official No.	Where Lying and Within what Port and Probable Date of Leaving	Probable Port of Destination
OLGARRY (M/T)	SLIGO.	SO 591.	KILLYBEGS 22/9/95.	KILLYBEGS 26/9/95.


Date, Time (state whether G.M.T. or Summer Time), Nature and Particulars of Casualty, including Number of Crew, Number of Passengers, and Number of Lives Lost (if any):—

26/9/95. 1915 HRS. NO CASUALTY. TO CREWS.
COLLISION. BETWEEN. MFV OLGARRY + MFV MICHELLE

Name and Address of Local Agent of Ship: NOEL M^c GING, CHURCH RD KILLYBEGS.

To:

The Chief Surveyor,
Marine Survey Office,
Dept. of Transport and Power,
27 Eden Quay, Dublin 1.




John G. Gahan
Receiver of Wreck.
KILLYBEGS
6/10/95

RB4303.300.11/89.W.W.B.S.LTD.024 027

APPENDIX E

E Report of casualty - form WR1 "Michelle"

WR. 1.		APPENDIX E REPORT OF A SHIPPING CASUALTY						Year of Casualty
		TYPE OF CASUALTY <u>COLLISION</u>						1995
		(Enter "Collision", "Foundering", "Missing", "Fire" etc.)						
Name of Ship (Block Letters)			Official Number or Nationality			Port of Registry		
s.s. <u>MICHELLE</u>			NOT YET REGISTERED					
Gross Tonnage		Length overall	Iron, Steel or Wood	Year of Build	Speed	No. of Crew	No. of passengers	Nature of Employment
11.6 Ton.		39 FT.	G.R.P.	1986	12 knots	2	NIL.	FISHING.
(a) Name of Master (b) No. of his Certificate			(a) Name of Pilot (if any) (b) By whom Licensed		Name and Rank of Officer in charge at time of Casualty			
12 <u>ANTHONY DOHERTY</u>			13 <u>/</u>		14 <u>ANTHONY DOHERTY</u> <u>CAPTAIN.</u>			
Original Port of Departure and date of sailing		Port last sailed from and date of sailing		Port of Destination		Name and Address of Owners		
15 <u>Killybegs</u> Date <u>26/9/95</u>		16 <u>/</u>		17 <u>Killybegs.</u>		18 <u>ANTHONY DOHERTY</u> <u>FINTRAGH</u> <u>KILLYBEGS.</u>		
Particulars of Casualty (State whether G.M.T., B.S.T., or local time)								
(a) Name of place where casualty occurred		Date and hour	State of Tide	State of weather and atmosphere		Direction and force of wind		
19 <u>DONEGAL BAY</u>		20 <u>26/9/95</u>	21 <u>DEEP SEA.</u>	22 <u>GOOD VISIBILITY CLEAR</u>		23 <u>FORCE 7 W/NW</u>		
(b) Latitude and Longitude		State of sea and swell		Number of lives lost		Number of lives saved and by what means		
24 <u>54.35 NTH 8.35 WEST</u>		25 <u>HEAVY SWELL.</u>		26 <u>CREW</u>		27 <u>PASSENGERS</u>		
(c) True bearing and distance from a point of land or light, when in sight								
28 <u>INNISDUFF 1.6 MILES EAST</u>								
If salvage services rendered, state by whom and whether paid for at salvage or ordinary rates		Account of casualty, with remarks as to cause and whether it could have been avoided						
28 <u>NONE</u>		29 <u>OLGARY</u> <u>MFV STUCK MY VESSEL ON FORWARD PORT SIDE</u> <u>WHILE I WAS HAULING LOBSTER POTS. WHEN I</u> <u>SAW OLGARY APPROACHING I CALLED ON RADIO - CHANNEL</u> <u>12 - TWICE AND ONCE ON CHANNEL 69. BUT NO RESPONSE</u> <u>TO CALLS. MAYDAY CALL ON CHANNEL 16 JUST BEFORE</u> <u>COLLISION. ACCIDENT COULD HAVE BEEN AVOIDED</u>						
Extent of damage to ship and cargo								
30 <u>VESSEL DAMAGED ON FORWARD PORT SIDE. WHEEL HOUSE DAMAGED</u> <u>PORT SIDE WHALE BACK + SHOULDER DAMAGED</u>								
FOR USE OF DEPARTMENT OF TRANSPORT ONLY								

PARTICULARS REQUIRED FOR STRANDINGS		
If Decca Navigator fix obtained, state decometer reading	51	
What, and at what time, were the last landmarks, beacons, or buoys visible? State whether G.M.T., B.S.T. or local time	52	
Were these marks seen directly or by radar? Give visual bearings or radar ranges and bearings	53	
Were bearings obtained from any beacon or direction-finding station? If so, state bearings obtained? (State whether bearings are true, compass or relative)	54	
How long before stranding were these bearings obtained?	55	
Were soundings taken? How long before stranding?	56	N/A
What was the depth at first and last sounding?	57	
Course steering when casualty happened (State whether True or Magnetic)	58	
Speed at time of stranding	59	
Direction of ship's head after stranding (State whether True or Magnetic)	60	
Was the casualty due to an uncharted obstruction?	61	
PARTICULARS REQUIRED FOR COLLISIONS		
Course of own vessel when other was first observed? (State whether True or Magnetic)	62	STATIONARY
Speed of own vessel when other was first observed?	63	N/A.
What was: (a) bearing of other vessel when first seen? (b) bearing and range of other vessel when first observed by radar? (State whether True or Magnetic)	64	APPROACHING FROM WEST DIRECTION - 1 MILE APPROX.
Colour of light or lights of other vessel first seen, and how long before the collision?	65	N/A.
Course of other vessel when first observed? State how obtained, visually, or by radar plot.	66	VISUAL - SOUTH/S.E.
Direction of own vessel's head at time of collision (State whether True or Magnetic)	67	S/E WEST/N.W.
Direction of other vessel's head at time of collision (State whether True or Magnetic)	68	S/E
Were the engines of own vessel slowed or stopped? Give particulars.	69	SLOWED / IDLING.
Own speed when collision took place	70	STATIONARY
Were lights properly fitted and shown and fog signals made in accordance with regulations?	71	NO YES.
Did the other vessel give her name and stand by after collision, in accordance with the statutory requirements?	72	YES. MFV O'GARRY
Name, nationality, port and official No. of other vessel	73	O'GARRY - IRISH - SLINGO

APPENDIX E

CONTD.

What was vessel's draught of water forward and aft?	32	Forward DRIP SEA.	Aft
Title, number, date and publishers of the chart in use at the time of the casualty and number of last large and small correction.	33		
Number of compasses. Were they in good order?	34	(a) Gyro compasses - I, YES (b) Magnetic compasses	
Could any part of the cargo affect any compass?	35	N/O.	
Were the life-saving appliances on board in accordance with the statutory requirements?	36	YES	
Number of watertight compartments?	37	N/A	
Did they prove of use in this case?	38	N/A	
Were the fire appliances on board in accordance with the statutory requirements?	39	N/A.	
Was the vessel well found in all respects?	40	YES	
If coal was carried as boiler fuel how were the bunkers ventilated?	41	N/A.	
Cargo and/or ballast:— (a) what kind and quantity of cargo and/or ballast was carried? (b) where was it carried?	42	LOBSTER POTS.	
Had vessel a deck load? If of containers were they properly secured, and in what manner?	43	LOBSTER POTS	
If of timber, was it in accordance with the statutory requirements?	44	N/A.	
Was she overladen?	45	N/O	
Was the cargo properly stowed?	46	YES	
If vessel had a grain cargo, was it stowed in accordance with the statutory requirements?	47	N/A	
If a coal cargo, were all holds completely full, if not, state capacity of empty space left in each hold? How were the holds ventilated?	48	N/A.	
State of weather at time of shipment	49	Good visibility - SWELL.	
What navigational and communication aids were carried and which were in use prior to the casualty? (Insert tick in Box A if carried and in Box B if in use)	50		
State radar range scale in use prior to the casualty	50a		

	A	B
Radar	✓	✓
Decca navigator	✓	✓
Radio direction finder	✓	✓
Echo Sounder	✓	✓
Automatic steering	✓	—
M.F. Radio Telegraph		
M.F. Radio telephone		
V.H.F. Radio telephone	✓	✓
Others (name them)		

PARTICULARS REQUIRED FOR FOUNDERINGS

Had the main engines broken down or become inoperative before foundering?	74	
Had the steering gear broken down or become inoperative before foundering?	75	
Had any of the ship's pumps broken down or become inoperative before foundering?	76	
✓ Date and hour of springing leak or of vessel shipping heavy seas	77	N/A
Course steered prior to vessel foundering?	78	
Circumstances of the voyage immediately preceding the foundering	79	
Details of measures taken to prevent the foundering	80	

Account of casualty (continued from page 1)

IF PROPR WATCH WAY KEPT BY CREW OF OLGARRY.

Signature and Title of person providing the above information: Anthony O'Shea

Date: 12/10/95

The Secretary,
Department of Transport,
Marine Branch,
Apollo House,
Tara Street,
Dublin 2.

Above is my report on the casualty to the MFV MICHELLE

Signature of Name of Receiver of Wrecks: Patrick Galbraith



Date: 12/10/95

APPENDIX F

F Report of casualty - form WR1 "Olgarry"

APPENDIX F

DEPT. OF THE MARINE
 239/11
 24 OCT 1995
 MARINE SURVEY OFFICE

WR. 1. **REPORT OF A SHIPPING CASUALTY** Year of Casualty 1995

TYPE OF CASUALTY COLLISION
 (Enter "Collision", "Foundering", "Missing", "Fire" etc.)

Name of Ship (Block Letters) <u>OLGARRY</u>		Official Number or Nationality <u>SO 591</u> <u>401594.</u>	Port of Registry <u>SLIGO.</u>
Gross Tonnage <u>301</u>	Length overall <u>105 FT.</u>	Iron, Steel or Wood <u>STEEL.</u>	Year of Build <u>1976.</u>
Speed <u>10.6 knots.</u>	No. of Crew <u>9</u>	No. of passengers <u>NIL.</u>	Nature of Employment <u>DEEPSEA FISHING.</u>
(a) Name of Master (b) No. of his Certificate <u>NOEL Mc GING</u>		(a) Name of Pilot (if any) (b) By whom Licensed <u>/</u>	Name and Rank of Officer in charge at time of Casualty <u>EMONNY MOLLOY / DECK HAND</u> <u>NOEL Mc GING CAPTAIN.</u>
Original Port of Departure and date of sailing <u>Killybegs</u> <u>22/9/95</u>	Port last sailed from and date of sailing <u>/</u>	Port of Destination <u>Killybegs.</u>	Name and Address of Owners <u>NOEL Mc GING</u> <u>CHURCH RD</u> <u>Killybegs.</u> <u>CO. DONEGAL.</u>

Particulars of Casualty (State whether G.M.T., B.S.T., or local time)

(a) Name of place where casualty occurred <u>DONEGAL BAY</u>	Date and hour <u>26/9/95</u> <u>1915 HRS.</u>	State of Tide <u>N/A</u> <u>DEEP SEA.</u>	State of weather and atmosphere <u>Clear.</u> <u>Good visibility</u> <u>BETWEEN SHOALS</u>	Direction and force of wind <u>FORCE 7 W/NW</u>
	(b) Latitude and Longitude <u>54.35 NORTH</u> <u>8.35 West</u>		State of sea and swell <u>BIG SWELL.</u>	Number of lives lost Crew <u>25</u> Passengers <u>26</u>
(c) True bearing and distance from a point of land or light, when in sight <u>INVIS. DUFF</u> <u>1.6 MILES EAST.</u>		Number of lives saved and by what means <u>27</u>		

If salvage services rendered, state by whom and whether paid for at salvage or ordinary rates <u>NONE.</u>	Account of casualty, with remarks as to cause and whether it could have been avoided <u>Vessel steaming to Killybegs after fishing.</u> <u>SKIPPER LEFT WHEELHOUSE TO GO TO TOILET. ONE MAN</u> <u>LEFT IN WHEELHOUSE TEMPORARILY. DID NOT OBSERVE</u> <u>MFV MICHELLE HAILING LOBSTER POTS -</u> <u>VESSEL STRUCK MFV MICHELLE ON FORWARD PORTSIDE.</u>
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Continued on page 4

Extent of damage to ship and cargo
NONE

FOR USE OF DEPARTMENT OF TRANSPORT ONLY

ii Decca Navigator fix obtained, state decometer reading	51	
What, and at what time, were the last landmarks, beacons, or buoys visible? State whether G.M.T., B.S.T. or local time	52	
Were these marks seen directly or by radar? Give visual bearings or radar ranges and bearings	53	
Were bearings obtained from any beacon or direction-finding station? If so, state bearings obtained? (State whether bearings are true, compass or relative)	54	
How long before stranding were these bearings obtained?	55	
Were soundings taken? How long before stranding?	56	
What was the depth at first and last sounding?	57	
Course steering when casualty happened (State whether True or Magnetic)	58	N/A
Speed at time of stranding	59	
Direction of ship's head after stranding (State whether True or Magnetic)	60	
Was the casualty due to an uncharted obstruction?	61	

PARTICULARS REQUIRED FOR COLLISIONS

Course of own vessel when other was first observed? (State whether True or Magnetic)	62	STEERING 104°
Speed of own vessel when other was first observed?	63	9 KNOTS.
What was: (a) bearing of other vessel when first seen? (b) bearing and range of other vessel when first observed by radar? (State whether True or Magnetic)	64	STATIONARY - SLOWLY MOVING - LIFTING LOBSTER POTS.
Colour of light or lights of other vessel first seen, and how long before the collision?	65	N/A.
Course of other vessel when first observed? State how obtained, visually, or by radar plot.	66	STATIONARY - HAULING LOBSTER POTS.
Direction of own vessel's head at time of collision (State whether True or Magnetic)	67	104° TRUE.
Direction of other vessel's head at time of collision (State whether True or Magnetic)	68	280°.
Were the engines of own vessel slowed or stopped? Give particulars.	69	N/O.
Own speed when collision took place	70	9 KNOTS
Were lights properly fitted and shown and fog signals made in accordance with regulations?	71	N/A.
Did the other vessel give her name and stand by after collision, in accordance with the statutory requirements?	72	YES. MFV MICHELLE.
Name, nationality, port and official No. of other vessel	73	MFV MICHELLE - IRISH - 9

APPENDIX F

CONTD.

What was vessel's draught of water forward and aft?	32	DEEP SEA. 20 FATHOMS. approx.																															
Name, number, date and publishers of the chart in use at the time of the casualty and number of last large and small correction.	33	BRITISH ADMIRALTY CHARTS. OF ZONEGOL BAY.																															
Number of compasses. Were they in good order?	34	(a) Gyro compasses - $\frac{I}{I}$	} YES																														
		(b) Magnetic compasses $\frac{I}{I}$																															
Could any part of the cargo affect any compass?	35	N/A.																															
Were the life-saving appliances on board in accordance with the statutory requirements?	36	YES.																															
Number of watertight compartments?	37	N/A.																															
Did they prove of use in this case?	38	N/A.																															
Were the fire appliances on board in accordance with the statutory requirements?	39	YES.																															
Was the vessel well found in all respects?	40	YES.																															
If coal was carried as boiler fuel how were the bunkers ventilated?	41	N/A.																															
Cargo and/or ballast:— (a) what kind and quantity of cargo and/or ballast was carried? (b) where was it carried?	42	FISH in FISH HOLD.																															
Had vessel a deck load? If of containers were they properly secured, and in what manner?	43	No.																															
If of timber, was it in accordance with the statutory requirements?	44	N/A.																															
Was she overladen?	45	N/A.																															
Was the cargo properly stowed?	46	YES.																															
If vessel had a grain cargo, was it stowed in accordance with the statutory requirements?	47	N/A.																															
If a coal cargo, were all holds completely full, if not, state capacity of empty space left in each hold? How were the holds ventilated?	48	N/A.																															
State of weather at time of shipment	49	VISIBILITY GOOD. - LARGE SWELL.																															
What navigational and communication aids were carried and which were in use prior to the casualty? (Insert tick in Box A if carried and in Box B if in use)	50		<table border="1"> <thead> <tr> <th></th> <th>A</th> <th>B</th> </tr> </thead> <tbody> <tr> <td>Radar</td> <td>2</td> <td>✓</td> </tr> <tr> <td>Decca navigator</td> <td>✓</td> <td></td> </tr> <tr> <td>Radio direction finder</td> <td></td> <td></td> </tr> <tr> <td>Echo Sounder</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>Automatic steering</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>M.F. Radio Telegraph</td> <td></td> <td></td> </tr> <tr> <td>M.F. Radio telephone</td> <td>✓</td> <td></td> </tr> <tr> <td>V.H.F. Radio telephone</td> <td>✓</td> <td></td> </tr> <tr> <td>Others (name them)</td> <td></td> <td></td> </tr> </tbody> </table>		A	B	Radar	2	✓	Decca navigator	✓		Radio direction finder			Echo Sounder	✓	✓	Automatic steering	✓	✓	M.F. Radio Telegraph			M.F. Radio telephone	✓		V.H.F. Radio telephone	✓		Others (name them)		
	A	B																															
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Others (name them)																																	
State radar range scale in use prior to the casualty	50a	50 AS - 6 mile one - 2 ed. 1																															

PARTICULARS REQUIRED FOR FOUNDERINGS

Had the main engines broken down or become inoperative before foundering?	74	/
Had the steering gear broken down or become inoperative before foundering?	75	
Had any of the ship's pumps broken down or became inoperative before foundering?	76	
Date and hour of springing leak or of vessel shipping heavy seas	77	
Course steered prior to vessel foundering?	78	
Circumstances of the voyage immediately preceding the foundering	79	
Details of measures taken to prevent the foundering	80	

Account of casualty (continued from page 1)

SKIPPER OF MFV MICHELLE OBSERVED OLGARRY APPROACHING BUT DID NOT CALL ON CHANNEL 16 BUT SENT MAYDAY CALL ON CHANNEL 24. HE CALLED OLGARRY ON CHANNEL 12 BEFORE COLLISION BUT THIS WAS NOT RECEIVED BY OLGARRY. CREW MAN IN WHEEL HOUSE STATED THAT HE WAS OBSERVING ON BOARD COMPUTER AND DID NOT SEE THE MFV MICHELLE. THE VESSEL WAS ON AUTOMATIC PILOT WHEN COLLISION OCCURED.

ACCIDENT COULD HAVE BEEN AVOIDED IF THE FOLLOWING ACTION HAD BEEN TAKEN
 (1) BETTER WATCH BY CREW MEMBER ON OLGARRY
 (2) CALLED MFV OLGARRY ON CHANNEL 16
 (3) IF EVASIVE ACTION HAD BEEN TAKEN BY SKIPPER OF MFV MICHELLE WHEN HE OBSERVED OLGARRY BEARING DOWN.

Signature and Title of person providing the above information ... NOEL Mc GING.
 CAPTAIN.
 Date ... 6/10/95.

The Secretary,
 Department of Transport,
 Marine Branch,
 Apollo House,
 Tara Street,
 Dublin 2.

Above is my report on the casualty to the ... Noel Mc Ging

Signature or Stamp of Receiver of Wreck, ... [Signature]
 District ... KILKERRY
 Date ... 6/10/95.



9. INDEX OF CORRESPONDENCE RECEIVED

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Mr. Noel McGing

Church Road,
Killybegs,
Co. Donegal.

18/03/2003
Your Ref.: MCIB 33

Mr. Dick Heron,
Secretary,
Marine Casualty Investigation Board,
Leeson Lane,
Dublin 2.



Dear Mr. Heron,

My Comments on the collision between M.F.V. 'Olgarry' and M.F.V. 'Michelle' on the 26/09/1995 are as follows:-

M.F.V. 'OLGARRY' - Course 104° (T) 9 knots. Waypoint 1 Mile South Inishduff

This is the route used by all the fishing vessels in Killybegs to and from the fishing grounds to the West and North. It is a recognised fairway and has been the route prior to the inception of plotters and radars. The pot fishermen are aware of this and never shoot their gear in the fairway (Rule 9BC). Fishing is also a lot better to the North closer to the Island of Inishduff where gear is easier to work as the water is shallower.

It is custom for all pot fishermen who fish in an area where trawling is possible to inform all vessels where pots are shot. However it is never done in a recognised fairway. There is actually a service provided by Mr. Norbid Fox from Co. Mayo who informs all vessels by fax of this. The skipper of the Michelle did not do this. It is to the advantage of both, as pots are lost and serious damage can be caused to stern tube seals, sonars and sounders on trawlers. On this occasion due to weather conditions it was virtually impossible to see the Michelle as the skipper himself could only see the Olgarry when he was on the crest of a wave. For 95% of the time the hull of the vessel was invisible. There was no radar target. The Michelle had no radar reflector. It is difficult to understand how the Michelle having gone full ahead on her engine (bearing in mind that this was a very powerful vessel capable of over 20 knots with 300HP+) hit the Olgarry (port shoulder of the Michelle). It is fair to say had she not moved a collision would have been averted.

MCIB Response

It is much more likely that the Michelle was on the starboard side of the Olgarry, going astern keeping off her gear. The bow of the Olgarry caught the rope leader pulling the Michelle port bow to the bow of the Olgarry. The impact broke the rope and caused the damage. The Olgarry was listening on Channel 16 as obliged. The Michelle was obviously unaware of this.

Thanking you,

Signed,



NOEL MC GING

MCIB REPONSE TO THE LETTER FROM MR. NOEL MCGING OF 18TH MARCH, 2003

Inspection of the chart for the area and local knowledge clearly shows that the collision occurred in an area that does not lie within a recognised fairway. The reporting system to highlight presence by local pot fishermen has no official mandate and is not compulsory.