

**Report of the investigation into the  
collision between Irish fishing vessel  
“Kingfisher” and Irish fishing vessel  
“Tach Gwel” on 1<sup>st</sup> April 2000**

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## 1. **SYNOPSIS**

At approximately 02.56 hours on Saturday 1<sup>st</sup> April 2000 in position 153 degrees from Hook Head Light distance 11.75 miles (See Appendices 8.1 and 8.2) a collision occurred between two Irish fishing vessels the “Tach Gwel” and “Kingfisher”. The weather at the time was light drizzle with wind force 1 to 3.

## **2. FACTUAL INFORMATION**

### **2.1 “Kingfisher”**

This is a well-decked glass fibre reinforced carvel built with a straight raked stem and transom stern. The wheelhouse is placed slightly forward of amidships. Visibility from the wheelhouse is good.

#### **Principal particulars: -**

Fishing number	C-229
Built	1979 at O’Driscoll Boatyard Carrigaline, Co. Cork
Length, Registered	35 feet (10.72 meters)
Gross tonnage	12.28
Engine	Gardner I.C. vertical geared, 117 hp
Estimated Speed	7 knots

#### **Crew on board “Kingfisher”**

Mr. Nicholas McCarthy -	Skipper and co-owner
Mr. Simon McCarthy -	Deckhand and co-owner

### **2.2 “Tach Gwel”**

This is a fully decked carvel built wooden fishing vessel with raked stem and transom stern. A wheelhouse and galley is fitted aft and a whaleback fitted on the foredeck. A foremast for navigation lights and a landing derrick is fitted forward of the wheelhouse. Below the deck the vessel is subdivided into four compartments namely- forepeak store, fish room, machinery space and cabin aft. The visibility from the wheelhouse is severely restricted due to the high whaleback with liferafts on top and either side of the centre line.

#### **Principal particulars: -**

Fishing number	W-211
Built	1974 by Chantier Henaff Marine at Guilvenac, France
Length, Registered	58.8 feet (17.98 meters)
Gross tonnage	49.78
Engine	Poyaud type A12-150 capacity 190kW
Estimated Speed	8 knots
Type of vessel	Rigged for trawling in Celtic sea and Western Approaches

#### **Crew on board “Tach Gwel”**

Mr. Michael Hayes -	Skipper and co-owner
Mr. Liam Ronayne -	Deckhand and watch-keeper
Mr. Patrick Kelly -	Deckhand

### **3. EVENTS PRIOR TO THE INCIDENT**

#### **3.1 Events on board “Kingfisher”**

- 3.1.1 “Kingfisher” departed Dunmore East at approximately 22.30 hours on Thursday 30<sup>th</sup> March 2000 to fish the Ship Ground, which is an area south east of Hook Head.
- 3.1.2 The arrangement on board was that the Skipper Mr. Nicholas McCarthy and the other crewmember, his brother Mr. Simon McCarthy, would alternate the tow watches, which normally lasts 5 hours, and then both would work together for approximately half an hour to haul the nets and shoot again. This allows four to four and a half hours sleep off watch in every 10-hour cycle.
- 3.1.3 “Kingfisher” was heading in a North North West (320/330 degrees) direction with the engine clutched in giving headway of about one to two knots. They were engaged in hauling which began at 02.45 hours on Saturday 1<sup>st</sup> April and had about 10 to 15 fathoms of warp left before the doors came out of the water. The Skipper was in and out of the wheelhouse getting the Gilson wire and splitter rope ready so that they could connect up and empty the catch out of the net. His brother Simon was operating the winch control and on the deck facing aft, away from the vessel approaching on the port beam.
- 3.1.4 The weather at the time was calm with a light North East breeze and a light drizzle. At the time the visibility was estimated as being 2 miles.
- 3.1.5 “Kingfisher” had the correct sidelights, stern light and trawling lights (green over white) displayed. In addition to these lights the gantry had four spotlights fitted and aft of the wheelhouse there were two fluorescent lights, which lit up the aft deck area.
- 3.1.6 The Skipper and crew of “Kingfisher” did not hold any formal qualifications and had not completed any safety training courses. A statutory requirement for Basic Safety Training was introduced for crewmembers of Fishing Vessels on the 14<sup>th</sup> December, 2001(SI No. 587 of 2001).

#### **3.2 Events on board “Tach Gwel”**

- 3.2.1 Mr. Michael Hayes took “Tach Gwel” out of Dunmore East at approximately 00.45 hours Saturday 1<sup>st</sup> April 2000 bound for The Smalls. Mr. Ronayne went to the engine room to do some jobs and to check out the equipment. At approximately 02.00/02.30 hours Mr. Hayes handed over the watch to Mr. Ronayne and told him to follow the “Wilhelmina” which was on the radar about 4 to 4.5 miles ahead and also on passage in the direction of the Smalls. The “Tach Gwel” and the “Wilhelmina” had been in contact with each other earlier. Shortly after that the Skipper and other crewmember went below to their beds and left the Watch-Keeper in the wheelhouse.

- 3.2.2 The course towards The Smalls was 165/170 degrees compass. “Tach Gwel” was astern of another fishing vessel “Wilhelmina” that was also heading in the direction of The Smalls.
- 3.2.3 The Watch Keeper, Mr. Ronayne, on “Tach Gwel” stated that he did not observe any other targets on the radar or see any other lights except “Wilhelmina” which was drawing away from “Tach Gwel”.
- 3.2.5 Mr. Ronayne stated that the weather was fine and visibility was good.
- 3.2.6 At 05.30 hours on Saturday 1<sup>st</sup> April they started to fish at The Smalls. Two tows were completed and they proceeded south to an area known as the Trench in order to commence fishing on Sunday morning.
- 3.2.7 Early Sunday 2<sup>nd</sup> April they sustained damage to their otter board and bridle while fishing in the Trench and decided to return to Dunmore East for repairs.
- 3.2.8 At 09.30 hours 2<sup>nd</sup> April on their way back to Dunmore East from fishing the Trench, the “Tach Gwel” was informed of the collision by mobile phone by the co-owner who was ashore at the time. The crew of “Tach Gwel” claim that this was the first they heard of the incident.

Mr. Michael Hayes and Mr. Liam Ronayne both held 2<sup>nd</sup> Hand Special Certificate of Competency.

#### **4. THE INCIDENT**

- 4.1 The Skipper of “Kingfisher” stated that as he was entering the wheelhouse he saw the masthead light, port and starboard lights about 50 yards away of what was later identified as “Tach Gwel” bearing down on his port side amidships. The Skipper stated that at the same time as he called out to his brother on deck he put the helm hard over to starboard and increased the revolutions of the engine to turn the vessel away from the approaching danger. “Kingfisher” came round to starboard but not enough to prevent “Tach Gwel” from impacting with its port bow on port quarter of “Kingfisher” gantry frame in GPS position 51 degrees 57.1 North and Longitude 006 degrees 47.73 West (See photograph at Appendix 8.3).
- 4.2 The crew on board “Kingfisher” clearly identified the name of the vessel “Tach Gwel” and its fishing number as the vessel that collided with “Kingfisher”. The “Tach Gwel” had scuffmarks and hull damage consistent with the collision (See Appendices 8.4 & 8.5)

## **5. EVENTS AFTER THE INCIDENT**

- 5.1 Resulting from the force of the impact the Skipper was thrown between the seat and the starboard side of the wheelhouse. His brother stationed on the aft deck was knocked to the deck. When he recovered his position he stopped the winch control and stated that he clearly saw the name of “Tach Gwel” and the fishing number as the vessel ran past the stern and continued on course.
- 5.2 “Kingfisher” attempted to raise “Tach Gwel” on VHF radio but there was no reply. “Kingfisher” reported the collision and name of vessel that collided with it to Minehead Radio (Irish Coast Guard). The time was logged as 02.56 hours.
- 5.3 “Kingfisher” having assessed the extent of the damage completed hauling nets and then proceeded back to Dunmore East, Co. Waterford arriving alongside at 05.18 hours Saturday 1<sup>st</sup> April.
- 5.4 “Tach Gwel” continued on its voyage and did not return to Dunmore East until the following day Sunday 2<sup>nd</sup> April at 12.30 hours.

## **6. CONCLUSIONS AND FINDINGS**

- 6.1 This collision occurred due to poor watch keeping on board “Tach Gwel”. The Watch Keeper was not properly rested. Adequate watch keeping arrangements were not being maintained.

The Skipper of a fishing vessel is responsible for ensuring that Watch-Keeper(s) are properly rested and fit for duty (See Appendix 8.6).

- 6.2 “Kingfisher” was engaged in fishing operations at the time of the collision. “Tach Gwel” was not engaged in fishing with nets, lines, trawls or other apparatus which restrict manoeuvrability and as such was a power driven vessel under the International Regulations for Prevention of Collision at Sea. It is apparent that “Tach Gwel” as a power driven vessel (not a “fishing vessel” as defined) was the responsible vessel under the International Regulations for Prevention of Collision at Sea as Rule 18(a) (Responsibilities between vessels) and Rule 5 (Look-out) (Appendix 8.7).
- 6.3 It is apparent that the Watch-Keeper on “Tach Gwel” failed to maintain a proper lookout and it is probable that he dozed off or had fallen asleep in the pilot chair.
- 6.4 The three persons on “Tach Gwel” stated that they were not aware of the collision and claim that they first heard about the collision with “Kingfisher” at 09.30 hours on Sunday 2<sup>nd</sup> April while returning to Dunmore East for repairs when the second co-owner, who was ashore, informed them by mobile phone.

- 6.5 The “Kingfisher” asserts that with the force of impact it would be difficult for the personnel on “Tach Gwel” not to have been aware of the collision.
- 6.6 There were no apparent physical injuries to any of the personnel on either vessel involved.
- 6.7 The Skipper of “Tach Gwel”, Mr Michael Hayes, declined to give a written statement in relation to this incident. During interview he stated that he had been to a public house in Dunmore East before sailing. He further stated that he had an amount of drink taken but that Mr. Liam Ronayne the Watch-Keeper did not have any drink taken.
- 6.8 Mr. Liam Ronayne, the lone Watch-Keeper on “Tach Gwel”, stated that he had a good night’s sleep and awoke at 08.00 hours on the morning of Friday 31<sup>st</sup> March. He stated that he started work on board “Tach Gwel” at about 14.00 hours. Later that day at about 23.15 hours he met the other crew member, Paddy Kelly, and went to a bar for a couple of drinks.
- 6.9 Mr. Liam Ronayne said that he would normally be an alert Watch-Keeper walking from either side of the wheelhouse wings with the doors open. On this occasion he was tired as he had worked hard during the day and did not stop until late that evening. He had been waiting until 22.30 hours that evening to bunker the vessel with diesel fuel.
- 6.10 The Gardai attended when “Kingfisher” arrived at Dunmore East to take statements and some sample scrapings in the area of impact.
- 6.11 During the inspection by the Investigator on board “Tach Gwel” on 5<sup>th</sup> May 2000 a number of deficiencies were noted in writing to the owners and required to be rectified (See Appendix 8.8). Furthermore the inspection revealed the following: -
- (i) Scuff marks and splintering of timber on port bow and consistent with a collision (See Appendix 8.9).
  - (ii) Lone Watch-Keeper sitting in the pilot chair cannot achieve adequate and clear visual lookout from that position (See Appendix 8.10)
  - (iii) The autopilot steering mechanism and watch alarm was inoperable.
  - (iv) The Watch-Keeper while sitting in the pilot chair maintained a heading by observing the “Wilhelmina” on the radar screen-heading marker and adjusted the helm accordingly. A large mirror was fitted forward of the compass bowl that reflected the compass card so that the course could be observed from the distance of the seated position in the pilot chair. This was an unacceptable method of watch keeping (Refer to Appendix 8.11).



## **7. RECOMMENDATIONS**

- 7.1 The MCIB recommends that the Maritime Safety Directorate lead and encourage stakeholders within the fishing industry to initiate a campaign highlighting the dangers to the crews of fishing vessels attempting to proceed to sea under the affect of fatigue and/or the influence of alcohol.
- 7.2 The MCIB recommends that the owner/Skipper of a fishing vessel should ensure that the vessel carries adequate insurance cover.
- 7.3 A fishing vessel proceeding to sea should have experienced and qualified crew on board to maintain safe watch keeping and to provide adequate personnel to carry out the heavy work of fishing operations when at the fishing grounds.
- 7.4 The MCIB recommends that the Safe Manning of Fishing Vessels be encouraged to ensure that more than one person is on watch under conditions as contained in Marine Notice No. 30 of 1999, Keeping a Safe Navigational Watch on Fishing Vessels.
- 7.5 MCIB recommends that the REPORT OF THE FISHING VESSEL SAFETY REVIEW GROUP, May 1996 be implemented.

## **8. LIST OF APPENDICES**

- 8.1 Abstract Chartlet from small scale chart No. 1121.
- 8.2 Abstract Chartlet from larger scale chart No. 1410.
- 8.3 “Kingfisher” fishing number C-229 as seen on the slip in Dunmore East. The distortion to the gantry frame can be seen port side aft.
- 8.4 “Tach Gwel” fishing number W-211 is viewed bow on. Damage is consistent with an impact and can be seen in way of the number “2” on port bow.
- 8.5 A stern view of “Kingfisher” on the slip at Dunmore East. Compare the port side of the gantry with the starboard side and note damage to port side.
- 8.6 Marine Notice No. 09 of 2002, Keeping a Safe Navigational Watch on board Fishing Vessels.
- 8.7 Abstract from Collision Regulations.
- 8.8 Letter of deficiencies to owner of “Tach Gwel”.
- 8.9 Close up of the port bow of “Tach Gwel”. The scuffmarks and splintering of the timber can be clearly seen.
- 8.10 This photograph is taken from behind the pilot chair and at eye level while sitting. The mirror reflecting the compass card can be seen in front of the compass box.
- 8.11 A view of the wheelhouse of “Tach Gwel”. Note position of pilot chair and radar directly in front. The compass bowl is to the right and the wheel (helm) below.