

MARITIME SAFETY

Where the fault really lies



Why aren't the frequent flag state investigations into lifeboat and rescue boat accidents leading to a significant fall in seafarer deaths and injuries? **Capt JOHN ROSE** of the Confidential Human Incident Reporting Programme (CHIRP) thinks he knows the answer...

During a routine drill to launch the rescue boat onboard the container-ship Dorikos, with three crew members inside the boat, the fall wire parted — causing the boat and crew members to fall 7m into the sea. All three crew were badly injured, so it was with interest that I awaited the publication of the report by the Cypriot flag state authority.

Classed as a 'Very serious marine casualty', one expected that the investigators — without apportioning blame or liability — would make sound recommendations to address the issues and provide guidance for the industry on how to avoid a recurrence of this needless incident, which took place in the port of Valetta in August 2015.

But I was once again disappointed. Those in authority appear to interpret the term 'Just Culture' as meaning it should ignore the responsibilities of key stakeholders and choose to again

focus on the actions attributed to seafarers.

What is frustrating is that it appears that effective solutions were not forthcoming. One is left in fear that death and serious injury have become an acceptable risk in the maritime trade.

“No amount of training can fully mitigate the effects of poor equipment design”

The galvanised wire rope onboard Dorikos was only seven months old, but it had been

incorrectly assembled within the housing of the hook. This caused the wire to bend sharply at two locations, resulting in mechanical damage to the wire surface at the bending positions.

The causal factor identified in the report was the seafarers not using the manufacturer's written guidance when changing the wire rope. The remedial action included the requirement for the manufacturer to issue another bit of paper to supplement the existing procedure. This will be added to some 5,000 pages of shipboard information that the master is expected to be conversant with at all times.

Regarding paperwork: I fear the motivation when manufacturers produce instruction manuals is not necessarily to meet the needs of the end user, but may instead be 'defensive engineering and liability practices' (i.e. covering their backs).



The serious injuries in the Dorikos incident were caused by a parted fall wire

In the Dorikos report there is no consideration of the fact that the root cause was in the design of the equipment. The method to change out the wire was not 'fail safe'. Once again, when offering advice, the regulators have not looked beyond the ship's rail. Be warned: this tragedy could so easily happen on another ship, as a piece of paper on the Dorikos will not help other vessels with similar equipment onboard.

I am unable to comfort myself with the knowledge that the remedial action will prevent the

same error happening in a similar fashion on another ship. Therefore, I suggest that any supplier of equipment should ensure the manufacturer's design makes full allowance for the competence and capability of the seafarer, rather than requiring the crew member to be trained to operate it. A poor design encourages mistakes that no amount of training or management intervention can completely mitigate.

Manufacturers should step back to consider, and then make allowance for the large number of different and non-standard pieces of equipment onboard a ship. They can make a small but valuable contribution to ensure that the use and maintenance of their equipment is carefully thought through and make full allowance for the ability of the end user — especially as the user may well have a bit of paper to say they are competent, but most likely will be without experience and working knowledge of the task being performed.

It is suggested that the manufacturers draw on their experience and knowledge, along with those of other stakeholders, and then:

- (i) design the system to meet the specific requirements
- (ii) design the operation, maintenance, training support and other procedures to ensure that the equipment performs as

required in use.

Returning to the key point in the Dorikos report and the improvement in procedures: in 2003 CHIRP raised concern over the quality of operational and maintenance manuals. Amongst the recommendations made by the Maritime Advisory Board at that time were the following:

1. Manufacturers of equipment for safety-critical marine applications across life-saving, cargo operating, navigation, communications and engineering disciplines should provide operating and maintenance manuals to a common document standard 'using a uniform layout as well as agreed terms, abbreviations and symbols for the correct use of such manuals by mariners'.
2. The use of simplified technical vocabularies and icons should be encouraged. If used, reproductions of photographs and drawings should be of an adequate standard and documents should be available in an agreed number of languages.
3. A relevant authority should verify the compliance/standard of documentation at the design/approval/acceptance stage and audit its continued compliance thereafter.

Sometimes it is the little and easy things that are the hardest to adopt. Stay safe out there!

✘ The comments are those of the author and are not by default those of the Charitable Trust CHIRP.

WERE YOU AWARE that following the successful outcome of a judicial review in respect of two Seatax clients, (brought before the Courts by Nautilus in collaboration with Seatax Ltd as expert advisors on the Seafarers Earnings Deduction), it was deemed that the two Seatax clients did have a legitimate expectation in applying the only published Revenue Practice with regard to the application of a day of absence in relation to a vessel sailing between UK ports. HMRC did not want to accept this practice (although referred to in their very own publications) but have now accepted that expectations of a claim based on such practice would be valid until the published practice is withdrawn. Following on from this, HMRC have now confirmed that this Practice is withdrawn as of the 14 February 2014. Seatax was the only Advisory Service that challenged HMRC on this point.



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The Cyprus-flagged containership Dorikos, where three crew members were badly injured during a rescue boat drill