

Report of the Inspector's Investigation

into the loss of the fishing vessel

***BLUE HOOKER PW250***

with two lives on 12 November 1998

off Blackchurch Rock, North Devon

**Extract from  
The Merchant Shipping  
(Accident Reporting and Investigation)  
Regulations 1994**

The fundamental purpose of investigating an accident under these Regulations is to determine its circumstances and the causes with the aim of improving the safety of life at sea and the avoidance of accidents in the future. It is not the purpose to apportion liability, nor, except so far as is necessary to achieve the fundamental purpose, to apportion blame.

## CONTENTS

Page No

<b>GLOSSARY OF TERMS AND ABBREVIATIONS</b>		
<b>SYNOPSIS</b>		<b>1</b>
<b>VESSEL AND INCIDENT PARTICULARS</b>		<b>3</b>
<b>1. FACTUAL INFORMATION</b>		<b>4</b>
1.1	Background to the Voyage	4
1.2	Narrative of the Voyage	4
1.3	Recovery of Bodies	5
1.4	The Vessel	5
1.5	The Crew	6
1.6	Environmental Conditions	7
1.7	Lifesaving Equipment	8
<b>2. ANALYSIS</b>		<b>10</b>
2.1	Potting operation	10
2.2	Weather Information	10
2.3	The Vessel and her Operation	11
2.4	Loss of life and discussion on lifesaving	11
2.5	The MAIB's reconstruction of the accident	12
<b>3. CONCLUSIONS</b>		<b>14</b>
3.1	Findings	14
3.2	Causes	14
<b>4. RECOMMENDATIONS</b>		<b>15</b>
1.	The Maritime and Coastguard Agency	15
2.	Companies insuring under-12m fishing vessels	15

## **GLOSSARY OF ABBREVIATIONS**

FV	Fishing Vessel
MAIB	Marine Accident Investigation Branch
MCA	Maritime and Coastguard Agency
UTC	Universally Co-ordinated time



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## **SYNOPSIS**

The accident was notified to the Marine Accident Investigation Branch (MAIB) at 1420 on 12 November 1998 and an investigation started the same day. The investigation was carried out by Mr K Dixon, Principal Inspector. The completion of this investigation regrettably was delayed because of the number of Inspector's Inquiries and the associated heavy workload undertaken in the second half of 1998 and the first quarter of 1999.

*Blue Hooker*, a wooden fishing vessel of 7.41m length, with two experienced local fishermen on board, was swamped and capsized while in the process of recovering her pots from the seabed off Blackchurch Rock near Clovelly, North Devon. Both on board died, their bodies being recovered sometime later.

The investigation has concluded that this small open vessel had been operating in unsafe sea conditions and was swamped. Weather conditions were poor all that day, with WNW force 7 winds being recorded at Hartland Point, some three miles from where the vessel was operating. Conditions deteriorated in a squall and the sea became very rough.

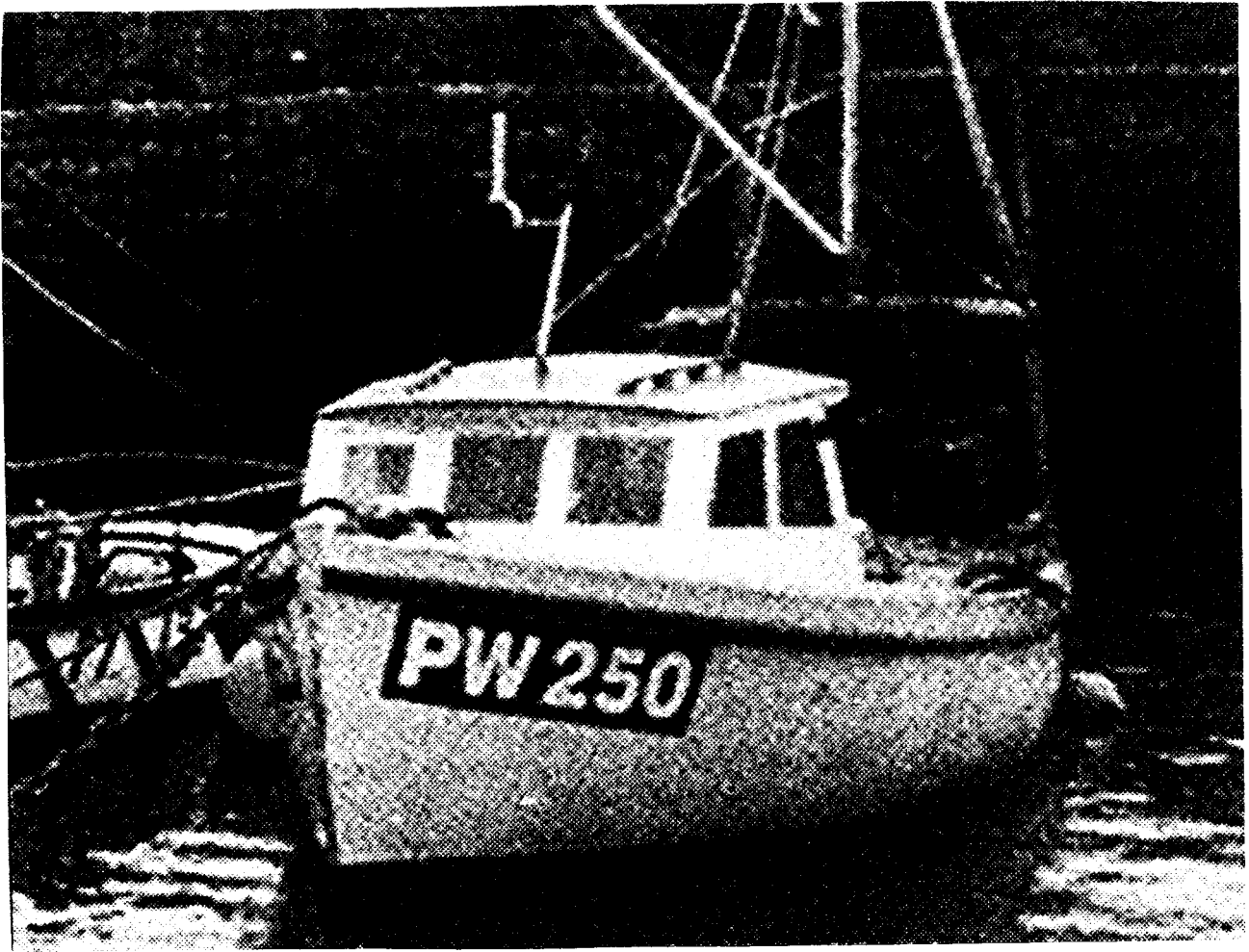
When it was realised that *Blue Hooker* was missing, prompt action was taken by the honorary secretary of the Clovelly lifeboat and a full search was started by the Coastguard. Wreckage from the vessel was found along the sea shore the same day. However, the bodies of the crew were not recovered until about a month later, when they were found on the shores of Cornwall and South Wales respectively.

This report highlights the importance of fishermen obtaining weather information and forecasts. Recommendations are made to the MCA concerning the fitting of liferafts, and to marine insurance companies concerning safety equipment carried on fishing vessels.

## **Acknowledgement**

The Marine Accident Investigation Branch acknowledges the help and co-operation of Mr L Winsborrow, the honorary secretary of Clovelly lifeboat.

Figure 1



*fv Blue Hooker* moored in Clovelly Harbour

## VESSEL AND INCIDENT PARTICULARS

### Vessel Particulars:

Name	:	<i>Blue Hooker</i>
Type	:	Fishing vessel/potter
Fishing No	:	PW250
RSS No	:	A21484
Port of Registry	:	Padstow
Year of Build	:	1974
Material of Construction	:	Wood
Registered Length	:	7.41m
Depth	:	0.72m
Gross Tonnage	:	4.97
Place of Build	:	Looe, Cornwall
Propulsion	:	Ford F S O marine diesel engine 41kW (55 hp)
Speed	:	Approximately 8 knots
Owner and skipper	:	M J Gist (deceased)
UKFV Certificate	:	N/A
Crew	:	2 (the skipper and Mr McBride)

### Accident particulars:

Date of Accident	:	12 November 1998
Time of Accident	:	1015 hours
Type of Accident	:	Swamped and capsized
Place	:	Off Blackchurch Rock, North Devon 51°00'.9N 04°25'.0W
Weather Conditions	:	Wind WNW force 7, with squall from NW force 8 - 9, heavy rain and breaking seas about 7 - 8m high.
Damage	:	Vessel broken up on shore line
Injuries	:	Two crew lost their lives
Pollution	:	Minimal - from diesel fuel oil



## **1. FACTUAL INFORMATION**

(All times are UTC)

### **1.1 BACKGROUND TO THE VOYAGE**

The skipper of *Blue Hooker* operated his fishing vessel as a potter. Two or three days before the accident, the crew set a number of strings of pots off Blackchurch Rock. *Blue Hooker* did not return to lift the pots until 12 November 1998, the day of the accident.

### **1.2 NARRATIVE OF THE VOYAGE**

#### **12 November 1998**

At 0940 the harbourmaster, Mr J Glover, saw *Blue Hooker* leave Clovelly. She was also seen by a member of the public who was looking out of the window of his house which overlooked the harbour. The skipper and one crewman were on board *Blue Hooker*, which was seen heading NW in the direction of Blackchurch Rock.

At 1015 a squall came in from WNW, veered NW and increased to force 8, possibly force 9.

At about 1030 the honorary secretary of Clovelly lifeboat and others started to become concerned about *Blue Hooker*'s safety and asked Mrs McBride, the skipper's wife, to contact her husband by mobile phone, but he had not taken the mobile phone with him.

The harbourmaster and another person left Clovelly by car at 1040 for Mouth Mill, to see if they could see *Blue Hooker*.

Swansea Coastguard received a call at 1108 from Mr Winsborrow, the honorary secretary, requesting they call *Blue Hooker* on VHF channel 16. These calls were sent on three aerials but no response was received by Coastguard. They made two more calls using the three aerials at 1119 and 1129 respectively, but again received no response.

The harbourmaster returned to Clovelly at 1140; he had not seen *Blue Hooker*.

At 1142 a full air, sea and land search began. Wreckage was spotted at 1213 from the RAF rescue helicopter 169 involved in the search.

Conditions at sea remained very poor, but the search at sea continued until darkness fell at about 1645.

#### **13 November 1998**

At about 1200 Mr Winsborrow took his FV *Kirsty Marie* and a crew of three to the position where *Blue Hooker* laid her strings of pots, 51° 00'.9N 004° 25'.0W. The first and second strings were hauled on board; nothing unusual was found except that the second string had been cut. This had been cut the day before, during the search, by the

# Plan shows the approximate positions of recovered wreckage and pots.

## Key:

- 1 Two store pots
- 2 Four pots
- 3 Pots
- 4 Anchor and ballast
- 5 Gantry
- 6 Engine, pot hauler and shaft
- 7 Wreckage

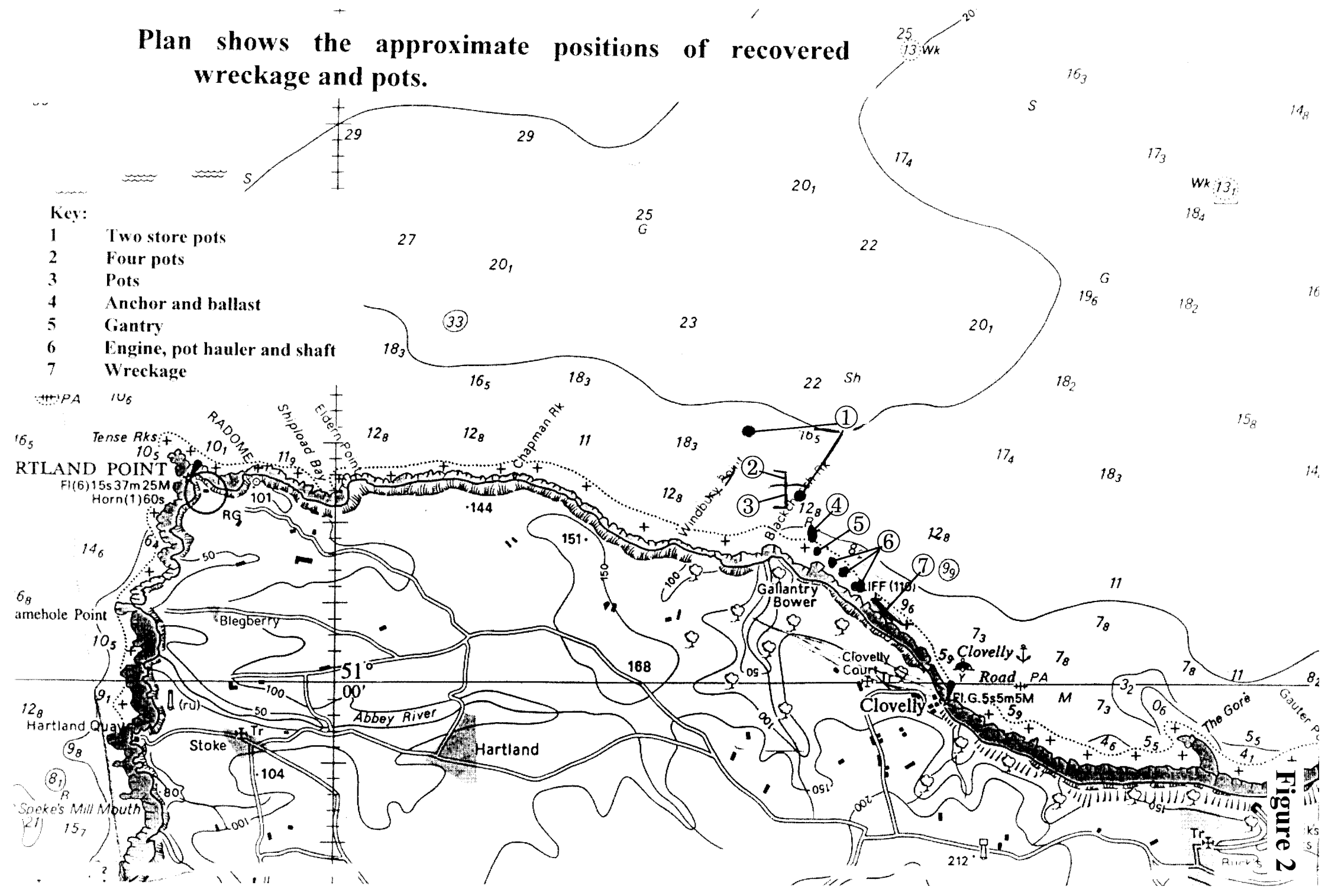


Figure 2

coxswain of the Appledore Lifeboat when his crew had hauled the string. On recovering the third string, 14 pots were brought on board; the rope had been cut. The other end of the third string was recovered with four pots together. A float attached to a store pot for lobsters and crabs was recovered. The fourth and fifth string were also recovered but no damage or anything unusual was found.

At low water the vessel's ballast, anchor, gantry, damaged wooden structure, engine, shaft, propeller (with net wrapped around it) and hauler were seen along the shoreline (**Figure 2**). The VHF radio, switched to channel 16, was recovered.

Amongst the wreckage was a lifejacket and the skipper's sea boots and oilskin jacket. The lifebuoys, reported to have been on board, were not found.

### 1.3 RECOVERY OF BODIES

The body of the skipper, Mark Gist, was recovered from Millook beach near Bude in Cornwall at 2130 on 5 December 1998. A post-mortem examination has attributed the cause of death to drowning.

The body of the crewman, David McBride, was recovered from the shore at Oxwich Bay, Gower Peninsula in South Wales, on 16 December 1998. Post-mortem examination could not ascertain the cause of death.

No lifejackets were recovered with the bodies.

### 1.4 THE VESSEL (Figures 1 & 3)

*Blue Hooker* was built as a fishing vessel by Pearn's of Looe, Cornwall, in 1974. Mr M J Gist purchased the vessel in 1995, and operated her as a potter. The vessel was surveyed for insurance purposes in June 1998, by an experienced marine surveyor who found her to be in "sound seaworthy condition" (**Figure 3**).

*Blue Hooker's* hull was of round bilge carvel construction with 25mm larch planking on steamed oak timbers. A deck extended forward from the transom for 600mm. The well deck extended from the aft bulkhead to the wheelhouse. This deck was made of semi-loose panels and non-watertight. The fore deck was forward and adjacent to the sides of the wheelhouse (**Figure 3**).

The wheelhouse was of solid wood construction with an entrance from the after well deck through a split door; on the starboard side. The bottom half of the door was hinged, and the top half slid open. The steering position was sighted on the forward bulkhead; the wheel operated chain leads which ran under the after deck to the tiller arm.

The wheelhouse contained the following navigational and communication equipment:

- VHF Radio
- Nav Star 2000 Navigator
- Auto Helm 4000 Auto Pilot
- Eagle Ultra Echo Sounder
- Compass

A Hydro Slave Line hauler was fitted on the starboard gunwale; its hydraulic pump was driven off the forward end of the engine. A gantry with a hanging block was adjacent to the hauler.

**Figure 3**



*Blue Hooker* during the survey in June 1998  
Photograph courtesy of Mr A L Hinks

## 1.5 THE CREW

Mark Gist, who was born on 20 December 1962, was the owner/skipper of *Blue Hooker* since 1995. Although he had 14 years fishing experience, he had no formal fishing qualifications. He had six years experience on several RNLI lifeboats, during which he carried out the required survival training for senior helmsman on the local RNLI inshore lifeboat.

David McBride, who was born on 24 January 1945, was the deckhand on board *Blue Hooker*. He was an experienced fisherman who owned and skippered his own vessel

*Provider* BR43, which was laid up at the time of the accident. He had no formal fishing qualifications.

## 1.6 ENVIRONMENTAL CONDITIONS

### Forecast weather for 12 November 1998

The following shipping forecast was issued by the Meteorological Office at 1725 on Wednesday 11 November 1998: *There are warnings of gales in Wight, Portland, Plymouth, Biscay, Sole, Lundy, Fastnet, Irish Sea. Lundy Fastnet Irish Sea: southerly veering westerly 6 to gale 8. Squally showers.*

### Weather on 09-13 November 1998

<b>Day</b>	<b>Time hours</b>	<b>Wind direction</b>	<b>Speed knots</b>
09 Monday	0900	250	24
	1200	260	24
	1500	260	20
	1800	240	15
10 Tuesday	0900	310	18
	1200	320	19
	1500	320	16
	1800	320	15
11 Wednesday	0900	180	11
	1200	190	16
	1500	190	24
	1800	170	20
12 Thursday	0900	290	28
	1200	300	28
	1500	290	28
	1800	300	30
13 Friday	0900	000	00
	1200	150	06
	1500	140	06
	1800	170	07

The above weather recordings were made at the meteorological station near Hartland Point (51° 00' 9N 004° 29' W) which is 126m (412 feet) above mean sea level. Wind gust speed and direction were not recorded. Weather records from this meteorological station were made only at the times shown above.

The honorary secretary of Clovelly lifeboat stated that at Hartland Point at about 0900 on 12 November, the wind had been WNW (290°) about force 5 (22 knots) and then, at 1015, a squall came in from WNW, veered NW and increased from force 4 - 5 to force 8, possibly 9. When the rain stopped the wind speed was force 7, possible 8.

#### Tidal predictions

On 12 November 1998 the predicted times of high water were 0102 & 1344. At 1000 the tidal stream was flooding in a direction 060° at a rate of 1 knot.

### **1.7 LIFESAVING EQUIPMENT**

#### Lifesaving equipment required to be carried

Under the Fishing Vessel (Safety Provision) Rules 1975 *Blue Hooker* should have carried the following lifesaving equipment:

- Two lifebuoys, one of which should have attached to it a buoyant heaving line, and
- Six red star distress signals.

Additionally, under the Fishing Vessel (Life-saving Appliances) Regulations 1988 she should have carried:

- Three lifejackets, of which two are required to be fitted with a lifejacket light.

**or**

Under a general exemption to the above rules dated 1 April 1998, the following lifesaving equipment should be carried:

- Lifejacket with whistle, light and retro-reflective tape, for each person on board.
- Lifebuoys, one with 18m of buoyant line attached or one lifebuoy with 18m of buoyant line attached plus one buoyant rescue quoit and line.
- Parachute flare plus two hand-held flares plus one smoke signal.

#### Lifesaving Equipment Actually Carried

Two orange coloured lifebuoys were known to be on board on 10 November 1998. These lifebuoys were not recovered.

Two lifejackets were on board at the time of the survey in June 1998, but one had been removed as the vessel normally operated single-handedly during the summer months.

Two hand held red flares, two parachute flares, and two smoke signals were also on board at the time of the survey.

## 2. ANALYSIS

### 2.1 POTTING OPERATIONS

Laying pots on the seabed to catch crabs and lobsters is a regular commercial operation for fishermen, and is usually carried out in smaller vessels, normally less than 12m in length.

Bad weather and poor sea conditions prevent fishermen recovering their catch from the pots. Should poor conditions be prolonged, the catch in the pots will deteriorate, and become commercially worthless. Heavy seas cause strong seabed currents which will move and sometimes cause damage to pots on the seabed. For these reasons there are strong commercial pressures on fishermen to tend/haul their pots before bad weather sets in.

### 2.2 WEATHER INFORMATION

The weather report from Hartland Point for 12 November, and conditions reported by the honorary secretary of the Clovelly lifeboat, support the weather forecast for shipping that day.

For the period considered in section 1.6, the strongest wind, force 7 from 290°/300°, was on the day of the accident. Although on 10 November the wind was force 5, it was coming from the more northerly direction of 310°/320°.

Generally winds coming from the south and west are moderated by the land mass of Hartland. However, once the wind direction moves north of west it will blow directly into Bideford Bay (**Figure 4**). With the wind direction at 290° on 12 November at 0900, Clovelly was protected somewhat from the 28 knot (force 7) wind recorded at Hartland Point. However, the area where the pots were laid was more exposed to this wind than in Clovelly.

The honorary secretary, an experienced local fisherman and harbourmaster, during an observation trip onboard *Kirsty Marie*, explained to the MAIB investigator that when operating in the area of *Blue Hooker's* pots, the headland of Hartland Point provides shelter from westerly winds. However, when a strong wind veers north of west, it clears Hartland Point and causes bad sea conditions off Clovelly.

The skipper, an experienced fisherman, would have been aware of this weather pattern, because it is known that the crew obtained a weather forecast before setting out to retrieve the pots.

Operators of small fishing vessels of a similar size to *Blue Hooker* should obtain as much information on the prevailing weather conditions and those forecast, and take heed of them, before proceeding to sea.



## 2.3 THE VESSEL AND HER OPERATION

Reports indicate that *Blue Hooker* was a seaworthy vessel. She had been operated safely off Clovelly for a number of years. It is considered that she was capable of working in conditions up to force 5. However, with force 7 - 8 winds, the conditions were well outside the safe operating envelope of this vessel.

After flooding, the wooden hull was washed on to the shore and broke up on rocks. With the destruction of the vessel, obtaining useful material to explain her loss was difficult. However, the recovery of the pots and careful recording of positions of items of wreckage have provided most useful evidence.

Although her lifesaving equipment did not meet fully the requirements of this size of vessel her other equipment did.

The honorary secretary and others recognised as soon as the squall came through from a more northerly direction, that this small open vessel would be in danger. Immediately, the honorary secretary, who was an experienced local fisherman and the owner of a larger vessel *Kristy Marie*, began making enquiries about the whereabouts and safety of *Blue Hooker*. The sea conditions that day had prevented him fishing on grounds further out to sea.

## 2.4 LOSS OF LIFE AND DISCUSSION ON LIFESAVING EQUIPMENT

Two fishermen lost their lives in this accident. One post-mortem indicates that the cause of death was drowning. It can be assumed both men died from the same cause. The precise circumstances of their final moments will never be fully known, but once *Blue Hooker* had sunk, their chances of survival beyond a few minutes in the clothes they were wearing, and without any form of lifesaving equipment, would have been extremely slim.

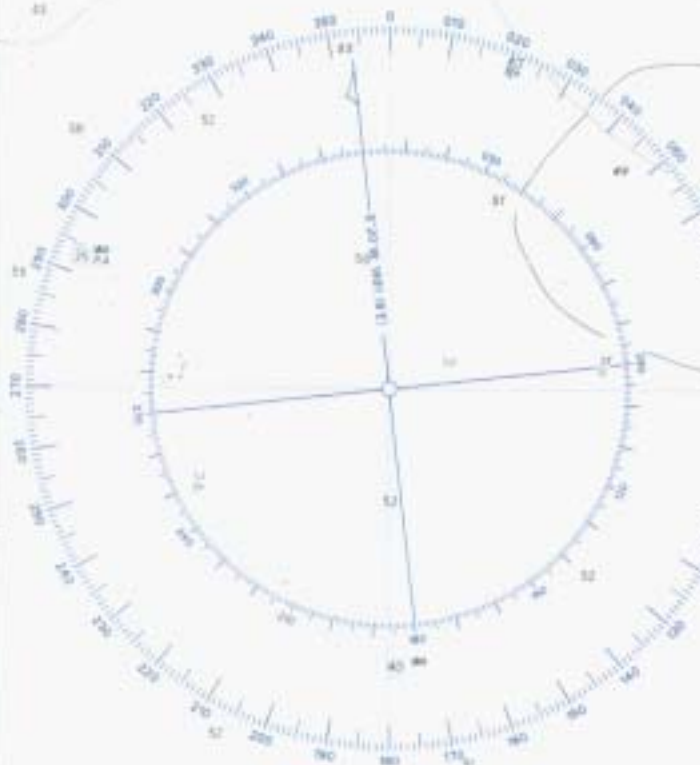
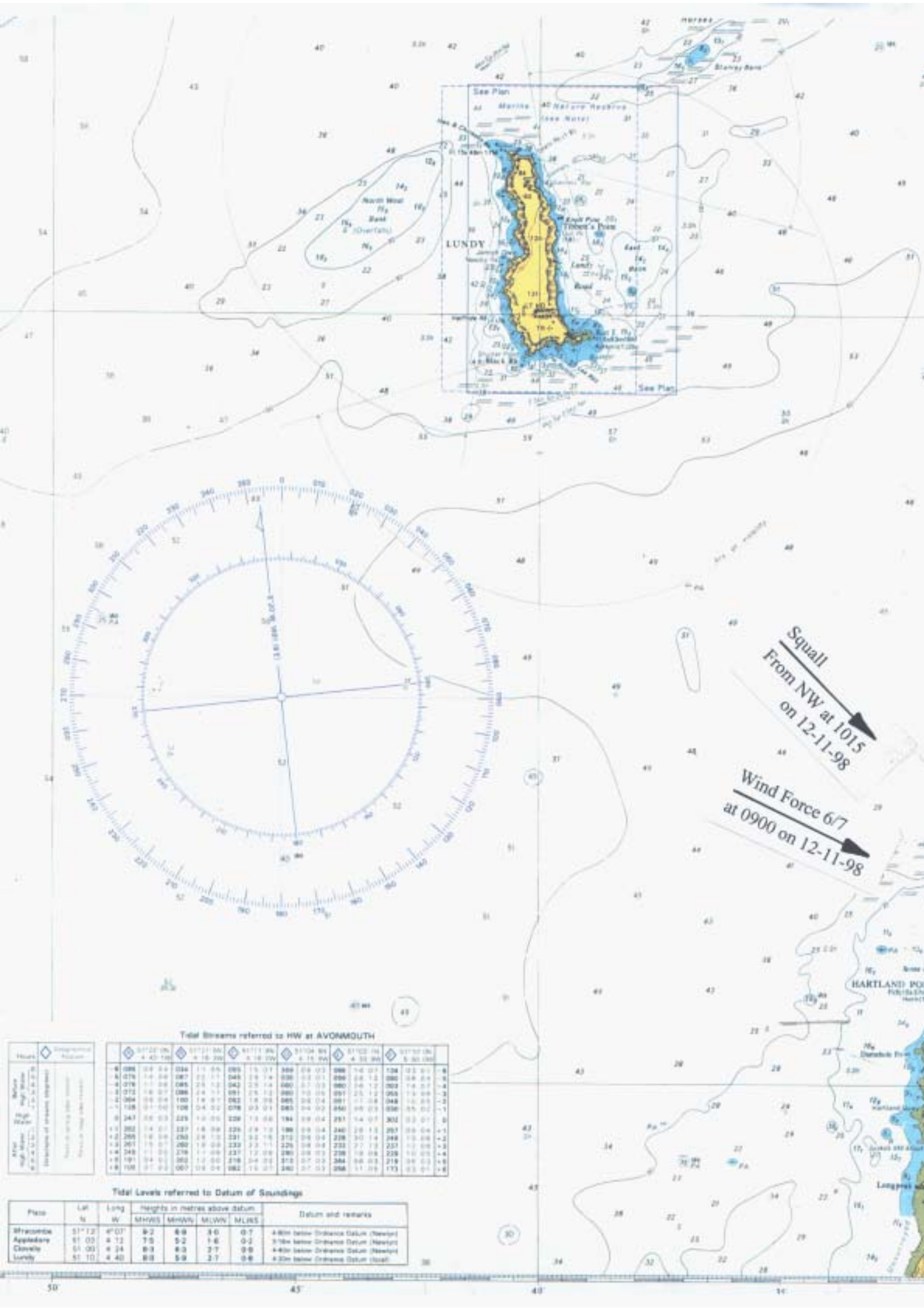
Survivors of similar accidents have told how quickly events progress to sinking. Survivors reflect on how they are in the sea, floating without any means of support, once their vessel has sunk. It is impossible to say what happened to *Blue Hooker*'s crew when she sank but, had there been a liferaft on board, it should have floated free and increased the crew's chance of survival. However, at the coroner's inquest it was stated that a liferaft would not have saved the lives of the crew.

Conclusions drawn from eyewitness accounts of other fishing vessel accidents, indicate that without any form of lifesaving equipment, survival time for a person in the water is short. Sometimes only three or four minutes, depending on the temperature of the water. Conversely, on some of the occasions when lifejackets and liferafts were available and were used, people have survived.

Fishermen are extremely reluctant to wear lifejackets and few, if any, will wear them while working. It is impossible to say in this case whether either of the people on *Blue Hooker* realised how dangerous the circumstances were. The fact remains that lifejackets were not worn.



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Squall  
From NW at 1015  
on 12-11-98

Wind Force 6/7  
at 0900 on 12-11-98

Total Streams referred to HW at AVONMOUTH

Hour	51° 22' 00" N 4 45' 10" W	51° 21' 00" N 4 15' 20" W	51° 19' 00" N 4 15' 20" W	51° 17' 00" N 4 15' 20" W	51° 15' 00" N 4 15' 20" W	51° 13' 00" N 4 15' 20" W
0	088	09	094	10	095	10
1	076	08	087	09	090	09
2	070	07	080	08	082	08
3	072	06	080	07	080	07
4	064	05	070	06	070	06
5	058	04	060	05	060	05
6	050	03	050	04	050	04
7	047	02	045	03	045	03
8	047	01	045	02	045	02
9	050	00	045	01	045	01
10	052	00	045	00	045	00
11	052	00	045	00	045	00
12	050	00	045	00	045	00
13	047	00	045	00	045	00
14	044	00	045	00	045	00
15	041	00	045	00	045	00
16	037	00	045	00	045	00
17	033	00	045	00	045	00
18	029	00	045	00	045	00

Total Levels referred to Datum of Soundings

Place	Lat N	Long W	Heights in metres above datum				Datum and remarks
			MHOES	MLOWN	MLOWN	MLRS	
Wraccombe	51° 12'	4° 07'	9.2	8.9	3.0	0.7	4.8m below Ordnance Datum (Charted)
Appledore	51° 03'	4° 12'	7.5	5.2	1.6	0.2	3.7m below Ordnance Datum (Charted)
Clovelly	51° 03'	4° 24'	6.3	6.3	2.7	0.8	4.4m below Ordnance Datum (Charted)
Lundy	51° 10'	4° 40'	8.8	5.9	2.7	0.6	4.2m below Ordnance Datum (Charted)



The failure to carry a liferaft denied the crew any opportunity to survive beyond a few minutes. The lack of a statutory requirement to carry a liferaft, and the low priority given by some fishermen of under-12m vessels to the advice that they should voluntarily carry a liferaft, are serious shortcomings that require immediate attention. The MAIB believes all fishing vessels should carry a liferaft, fitted with a hydrostatic release and stowed in such a position on board that it does not obstruct the working area, but still capable of floating free.

The loss of *Blue Hooker* is not an isolated incident. A number of under-12m vessels have been lost in recent years in similar circumstances, including *Copia* (1993), *Katy* (1994), *Karen Marie II* (1994), *May Girl* (1995) and *Gorah Lass* (1997). A total of 14 lives have been lost in these accidents alone.

For the above reasons, the MAIB considers it necessary to repeat the recommendation addressed to MCA and to the fishing industry that all fishing vessels should be required to carry inflatable liferafts.

## 2.5 THE MAIB'S RECONSTRUCTION OF THE ACCIDENT

The *Blue Hooker* left Clovelly at approximately 0940 on Thursday 12 November. The harbourmaster and a member of the public saw her leave with two people on board. Nothing unusual was thought about *Blue Hooker* going to sea at that time of the morning. She sailed in a north-westerly direction along the coast. She was soon lost from sight.

With the wind 290° (WNW) the vessel was in a lee until just before reaching the fishing grounds, where the pots had been laid some two or three days previously. Once out of the lee, the decision to haul the pots was made, possibly influenced by commercial pressure and the prospect of a period of bad weather. On reaching the grounds, it was usual to haul into the tide, which meant the dhan flag floating furthest from the land was lifted first. The recovery of the string and the pots, one at a time, was made while the vessel headed towards land. The pots were recovered using a hauler. During pot recovery, the stern of the vessel would have been in a northerly direction.

The estimated time of 1015 for the loss of *Blue Hooker* is supported by two facts. First, given that the time to travel from Clovelly harbour to the point where the pots were laid was between 15 and 30 minutes, depending on the vessel's speed, *Blue Hooker* would have been able to start hauling the pots at approximately 1010. Secondly, this is about the same time the reported squall came in from the WNW, veering NW and increasing to force 8, possibly 9, and caused the sea to become very rough with high breaking waves.

Had a large wave hit the starboard side of *Blue Hooker* while she was in the process of hauling pots, she could have been swamped. If she was heeled to starboard by the weight of pots on the hauler, she would have been extremely vulnerable.

With the bilge and well deck flooded, sea water would have entered the forward engine space, causing failure of the electrical power to the VHF radio and bilge pump, since the batteries were positioned in the bilge of the vessel. Probably the diesel engine would have continued operating because the air intake was well forward and in the wheelhouse. The vessel had two bilge pumps; one was a fairly small capacity electric bilge pump which would not have worked once electrical power was lost. The second pump was hand-operated and might have been used, but as it was of fairly low capacity, it would have taken some time to lighten the vessel. To lighten *Blue Hooker* quickly, it is probable the crew threw overboard the four pots which were recovered together the following day.

Most probably the engine was still operating at that stage and the crew endeavoured steer towards the coast or Clovelly. Further flooding probably occurred. At some stage it is believed that the skipper removed his boots and oilskin jacket, before attempting to swim ashore; suggested by normal RNLI safety training. It is thought that the vessel actually capsized close to the shore because some of the vessel's ballast weights were found at low water (**Figure 2**).

As the vessel went further inshore she must have hit rocks because the wreckage, especially the wood wreckage, was completely broken up and found along the shore line. The main engine and the hauler were still connected by hydraulic piping, but separated from the wood structure which was found between the low and high water marks. There was no rope in the hauler. The propeller and shaft, though buckled and damaged, were one unit. Entangled in the propeller was fine netting which indicates that the propeller was still turning when the vessel capsized. The gantry, which was fitted at the after end of the vessel, was also entangled with netting.

The prompt decision to launch the inshore lifeboat was taken at about 1115 by the honorary secretary, because the weather had become even worse and they knew that *Blue Hooker* was operating close to Clovelly. The full scale search which followed involved the Clovelly inshore lifeboat, the Appledore all-weather lifeboat, helicopters and many other vessels.

### 3. CONCLUSIONS

#### 3.1 FINDINGS

- .1 The vessel and crew were lost about 1015 on 12 November 1998 in position 51°00'90N 004°25'00W where the water depth was approximately 12m. [1.2 & 2.5]
- .2 The vessel was in a sound seaworthy condition. [1.4]
- .3 The skipper and crew were experienced fishermen. [1.5]
- .4 The shipping weather forecast for the day of the accident was accurate. [2.2]
- .5 On the day of the accident the wind force at Hartland Point was measured at 28 knots (force 7) from 290°/300°. [1.6 & 2.2]
- .6 When the WNW squall veered NW force 8 - 9, sea conditions deteriorated in the area where *Blue Hooker* was operating. [2.3]
- .7 The sea and wind conditions were outside the safe operating limit for *Blue Hooker*. [2.3]
- .8 There was insufficient lifesaving equipment on board at the time of the accident. [1.7 & 2.3]
- .9 There was only one lifejacket on board, which was not used, and no liferaft was fitted. [2.4]
- .10 A liferaft would have improved the crew's chances of survival. [2.4]
- .11 The people ashore acted promptly, and a comprehensive search was conducted. [2.5]

#### 3.2 CAUSES

##### **Immediate cause of the accident**

- .1 *Blue Hooker* was overwhelmed by the sea in a severe squall.

##### **Contributory factors**

- .2 The fishermen were under commercial pressure to haul their pots, because of the onset of bad weather.
- .3 The swamping and subsequent sinking of the vessel left the crew in the water without support from lifejackets or liferaft.

#### 4. RECOMMENDATIONS

A Coroner's inquest held on 4 March 1999 returned a verdict of accidental death on the two crew. No recommendations were made.

However, in seeking to improve safety of life at sea the MAIB considers that the following two recommendations should help fulfil that purpose.

**The Maritime and Coastguard Agency** is recommended to:

1. reconsider making the carriage of liferafts on under-12m fishing vessels a mandatory requirement, taking into account all MAIB's previous similar recommendations. [2.4 & 3.1.8]

**Companies responsible for insuring under-12m fishing vessels** are recommended to:

2. advise their surveyors to ensure that both the required lifesaving equipment and the recommended liferaft should be carried on board vessels they insure.[2.4 & 3.1.10]