

Report on the investigation
of the loss overboard of a fisherman
from the fishing vessel
Van Dijck
while fishing 30 miles
south-west of Guernsey
on 16 April 2001

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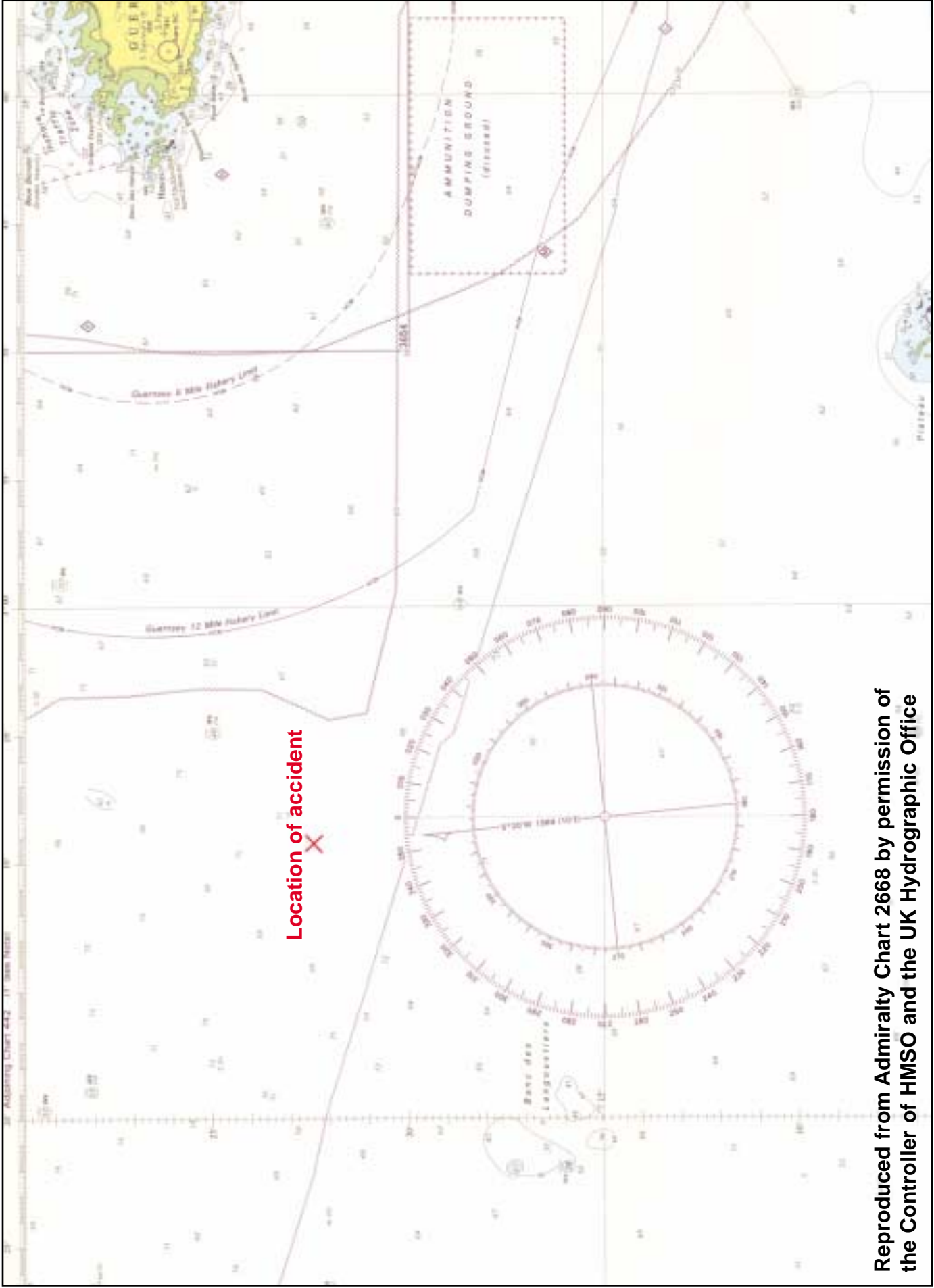
The fundamental purpose of investigating an accident under these Regulations is to determine its circumstances and the causes with the aim of improving the safety of life at sea and the avoidance of accidents in the future. It is not the purpose to apportion liability, nor, except so far, as is necessary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

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GLOSSARY OF ABBREVIATIONS, ACRONYMS & TERMS

BST	-	British Summer Time
UTC	-	Universal Co-ordinated Time
VHF	-	Very High Frequency
gear was shot		Fishing gear (bar and dredges) lowered over the side, and trawling starts.
dredges		A ruggedly-constructed triangular steel frame and tooth bearing bar (or pole), behind which a linked mat of steel rings is secured. A heavy netting cover joins the sides and back of the mat to form a bag, into which the catch is retained. Scallops, which usually lie recessed into fine sand or gravel, are raked out by the teeth and swept into the bag. Several dredges are towed together on one bar or beam.
nigger head or whipping drum		Rotating rope drum ends on side & front of winch house.
reciprocal course		Return back down exact course previously followed by vessel.
scuppers		Opening in bulwark to allow deck water to drain overboard - often fitted with hinged covers to restrict inboard flow.
angle of repose		The angle at which the surface of a dry bulk substance, inclined from the horizontal, will flow like a liquid down to the low side. This angle will differ according to the degree of wetness and the type of substance.



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SYNOPSIS

This incident occurred just after midnight on 16 April 2001, and was reported to MAIB by the owners at 1000 that day.

Van Dijck, a scallop dredger, sailed from Brixham at 1030 on 14 April for the Channel Islands fishing grounds. Francis Sharpe, a 17 year old trainee fisherman, had joined the vessel on sailing, and had been paired with Mark, another deckhand, and the skipper on the 0800-1400 and 2000-0200 watch. The vessel arrived at the fishing grounds to the south-west of Guernsey at about 1800 the same day. The first shoot began at 1805. The weather during this initial period was moderate with relatively little ship movement. Francis was shown where to go, what to do etc, and how to sort out scallops from the debris dumped on deck before pushing/kicking the residue back overboard through the scuppers. These scuppers were fitted with removable centre-hinged flaps which were usually wedged about three-quarters open using a stone.

During Francis's first six hour fishing watch the gear was shot about four times. He was kept well clear of the moving gear. Given Francis's inexperience, the skipper always came down to help him with the dredges on the port side, while Mark worked alone on the starboard side. This pattern of fishing continued over the next 24 hours or so, with about 14 hauls carried out at fairly regular intervals. At 2335 on Sunday 15 April, the gear was again re-shot. Debris sorting started immediately, with Mark on the starboard side, and Francis on the port. The skipper saw both deckhands working on deck at 2340, and again at midnight. Shortly afterwards, Mark became aware that he could no longer hear Francis working. Thinking he might be unwell, Mark went to look for him. Not finding him in the galley/mess room area, Mark told the skipper at 0005 that he could not find Francis. Both Mark and the skipper carried out further searches of the vessel, but found no trace of Francis. The position of *Van Dijck* at this time was 49°21.25'N, 003°09.10'W.

At 0015, the skipper broadcast a "Pan Pan" message. This was received by St Peter Port Radio (Guernsey), who were told that as soon as the gear was onboard, *Van Dijck*, together with *Geeske*, another of the company's vessels which had been about half a mile behind, would be starting to search on a reciprocal course, allowing for wind and tide. At 0020, both vessels started the search. Weather conditions at this time were north-west force 4 to 5 with a slight sea. Other vessels in the area, the fishing vessels *Centaur*, *Alison Louise*, *Maravana* and the Russian tug *Nafticas 31* also joined in the search. Despite a detailed air and sea search by the Guernsey lifeboat, and aircraft from the voluntary Channel Islands Air Search organisation, Francis was not found. Both these searches were terminated at about 0936 UTC. *Van Dijck* together with *Geeske* continued searching until daylight faded, and at 2100 on 16 April the search was reluctantly called off. *Van Dijck* then returned to Brixham.

Subsequently, one scupper door was found to have been carefully removed by Francis and stored alongside the opening, probably shortly after the debris had been tipped on to the deck. No marks or signs of where Francis might have been lost overboard were found, and his loss remains unexplained. He was not suffering from depression, or the affect of alcohol or drugs at the time of his disappearance.

SECTION 1 - FACTUAL INFORMATION

1.1 PARTICULARS OF VESSEL

Name	:	<i>Van Dijck</i>
Official No	:	B11898
Fishing No	:	BM362
Port of registry	:	Brixham
Gross tonnage	:	203.00
Overall length	:	33.53 metres
Registered length	:	29.00 metres
Breadth	:	7.50 metres
Maximum draught	:	4.10 metres
Year of build	:	1974, Zeebrugge, Belgium
Construction	:	Steel
Type	:	Twin beam scallop dredger
Main engines	:	Mak 6M452AK, 746kW
Crew	:	5 or 6
Owners	:	McLeod Trawlers Ltd, Unit 23 Northfield Industrial Estate, Brixham South Devon, TQ5 8UA
Date and time	:	16 April 2001, about 0005 BST
Place of incident	:	30 miles south-west of Guernsey.
Position of incident	:	49°21.25'N, 003°09.1'W
Injuries	:	Fisherman lost overboard, presumed drowned.

1.2 BACKGROUND TO VOYAGE

- 1.2.1 *Van Dijck*, is one of four large fishing vessels owned by McLeod Trawlers Limited of Brixham, Devon. She had been working off the Guernsey coast for four to six weeks before the accident. She usually has a crew of four plus the skipper, although if additional crew are available, five are carried to ease the workload. The crew are usually all local people, and work the vessel on a more or less regular basis. The skipper had joined the vessel in January 2001, having previously served as relief skipper or mate on other vessels. The vessel is UK-registered, and was issued with a full term UK fishing vessel certificate on 9 November 1998, which expires on 26 November 2002.
- 1.2.2 The vessel operates at sea on a six-hour watch system, the skipper taking the 0800 to 1400 and 2000 to 0200 watches and the mate the 1400 to 2000 and 0200 to 0800 watches. It was the skipper's practice to keep the youngest and least experienced crew member on his watch. He could then keep an eye on him and ensure that he was properly instructed and able to carry out his duties in a safe manner.
- 1.2.3 On Monday 9 April *Van Dijck* was alongside in Brixham. Mark Sanders, a deckhand, joined the vessel for the first time. He had previously sailed on another beamer for about 12 months and was, therefore, reasonably familiar with both the work and the skills required. Later that morning Francis Sharpe approached the skipper, when they were preparing the vessel for the next day's fishing trip, and asked if there was any work available. He said that he had sailed on *Blue Angel*, another of McLeod's vessels, for about a month, so had a little experience. As an extra pair of hands was always useful, the skipper told him to report back onboard at 0900 the following morning.

On Tuesday morning, the crew reported back on board and *Van Dijck* sailed for the fishing grounds. After a relatively short time on site, problems developed with the winch, causing the fishing operation to come to a halt. The repairs needed shore assistance, so the vessel returned to Brixham where she arrived on the Thursday morning. Following successful repairs to the winch, the vessel was ready to restart fishing.

1.3 NARRATIVE (all times BST unless otherwise stated)

- 1.3.1 At 1030 on Saturday 14 April 2001, *Van Dijck* left Brixham for the fishing grounds. Francis Sharpe had rejoined, together with the rest of the crew, and was told that he had been paired with Mark Sanders and the skipper on the 0800 to 1400 and 2000 to 0200 watch. The vessel arrived at the fishing grounds to the south-west of Guernsey at about 1800 the same day. The first shoot started at 1805 and trawled for the usual 60 to 70 minutes before hauling. Francis was off-watch during this initial shoot, and had turned in. At about 1930, Francis was called for his watch, had his tea, and was then ready to start his watch at 2000. The weather during this initial period was moderate, with

relatively little ship movement. He took over from the previous watch with Mark Sanders showing him where to go, what to do etc. The work consisted of sorting out scallops from the debris dumped on deck from the dredges, and placing them into baskets ready to be moved forward into the fish hold. The debris left behind was then pushed/kicked back overboard through the scuppers. These scuppers were fitted with removable centre-hinged flaps which were usually wedged about three-quarters open with a stone. This allowed the remaining debris to be pushed/kicked overboard.

- 1.3.2 During Francis's first six-hour fishing watch the gear was shot about four times. Mark ensured that Francis was well clear of the moving gear when it was retrieved, and the poles pulled in before emptying the dredges. Given Francis's inexperience, the skipper always came down to help him empty the dredges on the port side, while Mark worked alone on the starboard side. This pattern of fishing continued over the next 24 hours or so, with about 14 hauls carried out at fairly regular intervals.
- 1.3.3 On Sunday 15 April at about 1915, the process started again. Mark and Francis were called for their watch; the skipper was already in the wheelhouse. At 2010, the gear was hauled again, and it was found that minor welding repairs were required before it could be reshot. These welding repairs took until about 2135. Shortly after this, at 2140, the gear was reshot. Mark and Francis then sorted out the scallops and cleared the debris off deck before having a 10-minute break. Although both Mark and Francis were part of a team, they both worked alone on different areas of the deck; Mark on the starboard side, Francis on the port. Neither could see the other working during the early part of the sorting as they were each slightly aft of amidships and the accommodation block separated them. They both knew where the other was, but only saw each other when they went forward to empty the scallop baskets into the fish room.

At 2240 the gear was hauled again; Mark operating the "nigger head" to swing the dredges inboard, while Francis stood in a safe position behind him (**Figure 1**). Once inboard, it was obvious that more repair work would be necessary before the dredges could be reshot. Once the dredges had been emptied on to the deck, the skipper carried out further welding work. This was completed at 2335 and the gear reshot. Once it was over the side, Mark and Francis returned to sorting out the debris as before.

- 1.3.4 The skipper knew that both Mark and Francis were working on deck at about 2340. He had seen Francis carry a basket of scallops up to the fish room hatch at about 2350, before returning aft on the port side where he was working. At midnight the skipper checked that both Mark and Francis were still working on deck, before continuing with his work in the wheelhouse (**Figure 2**). Mark had seen Francis take his first basket forward, and it was only when he carried his second basket forward that he noticed that Francis was not at his working position. Thinking that he had probably just gone to the toilet, Mark returned to his position on the starboard side and started to fill his third basket.

After 2 or 3 minutes Mark realised that he could not hear Francis working. Having some responsibility for Francis, Mark went to find him, thinking that he would be in the toilet. He did not find him there, nor in the galley/mess room area, so Mark went up to the wheelhouse to tell the skipper. This was at about 0005.

On arriving in the wheelhouse, Mark told the skipper that Francis was missing. He had searched the deck and toilet but could find no sign of him. The skipper immediately told Mark to search the deck again, while he checked the accommodation and galley areas. The skipper looked in the cabin where Francis normally slept to see if he had been taken ill and had returned to his bunk, but he was not there. Dean Blakely, another of the deckhands, woke when the skipper turned the light on and, when told that Francis was missing, immediately joined in the search. When this search also failed to find Francis, the skipper called all the crew for one last full search of the vessel. The position of *Van Dijk* at this time was 49°21.25'N, 003°09.10'W.

Figure 1



General view of wheelhouse and winch house.
Note central position of "Nigger Head" (painted red).

Figure 2



View of port side of *Van Dijck* showing area where Francis was working at the time of his disappearance

1.3.5 Meanwhile, the skipper spoke to *Geeske*, another of the company's vessels which was about half a mile behind *Van Dijck*. They were told that a member of the crew appeared to have been lost overboard, that it could only have happened within the previous 10 minutes or so, and that the crew were having one last onboard search. At 0013 the skipper started hauling the dredges as fast as possible while the entire crew were carrying out another search. *Van Dijck's* mate called *Geeske* and told them that they were hauling their gear, as well as informing the coastguards. At 0015 the skipper sent out a "Pan Pan" which St Peter's Port answered. They were told of the missing crewman and that *Van Dijck*, together with *Geeske*, would be starting to search on a reciprocal course, making allowances for wind and tide, as soon as the gear was onboard. At 0020, with the gear back on board and dropped on the deck, *Van Dijck* turned and started the search.

The crew on board *Geeske*, which was in position 49°21.7' N, 03°08.97'W, were called immediately and started hauling her gear in preparation for assisting in the search. At the same time, they contacted another fishing vessel, *Alison Louise*, which was about five miles away and asked her to assist. Weather conditions at this time were north-west force 4 to 5 with a slight sea.

Van Dijck had begun her search by following a reciprocal course to that travelled by the vessel during the last hour. Three of the crew were forward on the bow with a portable searchlight, while the fourth went aft with a torch. Once daylight arrived, the crew went up on to the gantry in the hope that the greater height would give them more chance of spotting anything. *Geeske* carried out a similar arrangement. Other vessels in the area, the fishing vessels *Centaur* and *Maravana*, and the Russian tug *Nafticas 31*, also joined in the search.

- 1.3.6 St Peter Port Radio acknowledged the “Pan Pan” at 2319 UTC and alerted the Channel Islands Air Search organisation at 0030 UTC. The first aircraft was airborne at 0110 and on scene shortly afterwards. A search pattern based on a datum of 49°21.66N, 003°09.20W was flown with the datum changed every hour as advised by the search controller based at CIRC North. This search pattern continued until 0322 UTC when the aircraft returned to Guernsey for refuelling and a change of crew. At 0550 UTC, first light, the aircraft was again airborne and carrying out an expanding box search around the area where the crewman had first been missed. The centre of the search pattern was moved at 0805 UTC, to take account of the tidal drift in the area. The visibility during this second aircraft search period was in excess of 10km with broken cloud at 1900 ft (579.12m), a wind speed of 12 knots and a moderate sea state. At 0950 UTC the aircraft returned to Guernsey for refuelling and was stood down by CIRC North.

The Guernsey lifeboat was called out at 0203 UTC and was on scene at 0320 UTC. She continued searching until 0936 UTC when she returned to her station for refuelling. The lifeboat and crew were then stood down. During the course of their search they had seen no sign of anybody in the water.

- 1.3.7 The Russian tug which had also assisted in the search was stood down at 0926. With no evidence sighted despite an extensive sea and air search, the Guernsey Authorities called the search off at 0936 UTC.

Van Dijck continued searching throughout the day, as did *Geeske* and the other vessels. As nothing had been seen of Francis by the time daylight started to fade at 2100 on 16 April the search was called off reluctantly. *Van Dijck* then returned to Brixham clearing all the debris off the deck off Berry Head before berthing at the fish docks.

1.4 CREW PARTICULARS

At the time of the incident, *Van Dijck* was sailing with a crew of six, four experienced fishermen, one with a year's experience and one trainee. They were:

Jacob Grantham	-	skipper
Justin Bolton	-	mate
Keith Squires	-	deckhand
Dean Blakely	-	deckhand/cook
Mark Sanders	-	deckhand (one years experience)
Francis Sharpe	-	trainee deckhand

The vessel operated on a six hour watch system, with the crew equally divided between the two watches. The skipper and the two less experienced fishermen on one watch, the mate plus the two other deckhands taking the other. At the time of the incident, the skipper Jacob Grantham was on watch together with Mark Sanders and Francis Sharpe.

Jacob Grantham, aged 29, the skipper, an experienced fisherman with a Class 2 certificate of competency obtained in 1995, joined *Van Dijck* in January 2001. Before that he had been either relief skipper or mate on a variety of other fishing vessels.

Mark Sanders, aged 19, deckhand, had been at sea for just over a year. He had previously sailed on *Sara Lena*, a beam trawler, for about 12 months before joining *Van Dijck* on 9 April 2001. He had received no pre-sea training and held no certificates.

Francis Sharpe, aged 17, trainee deckhand, had sailed on *Blue Angel*, a beam trawler, for about a month before joining *Van Dijck* on 9 April 2001. He also had received no pre-sea training.

The skipper states that Francis was an average lad, about 1.73 to 1.75m, of slight build, and in the short time that he was on board, had fitted in well with the rest of the crew. To his knowledge he was not involved in any arguments with other members of the crew, did not suffer from seasickness, or have any problem with drugs or drink. He had been recommended by the mate of *Blue Angel* and he had showed every intention of making a career at sea.

1.5 DESCRIPTION OF WORKING AREA OF VESSEL

- 1.5.1 *Van Dijck* is a 29 metre steel-hulled fishing vessel with raised forecastle, an open working deck forward, and a combined accommodation block and wheelhouse stretching aft to the stern. An enclosed winch house is attached to the forward end of the wheelhouse/accommodation block at main deck level. Clear deck access aft from the fore deck is provided down both sides of the

accommodation block, from the break of the forecastle to the small enclosed deckhouse aft. Entrance from both sides of the main deck to the accommodation and wheelhouse is towards the stern of the vessel, clear of the normal working area (**Annex 1**).

All areas of the main deck are fitted with wooden sheathing. Steel deck protection plates, about 1 metre wide, are fitted on both sides of the vessel, over the wooden sheathing, from the break of the forecastle aft to a position just short of the entrance to the accommodation block (**Figure 3**).

Figure 3



General view of port side, main deck showing dredges and steel deck protection plate

1.5.2 The vessel is fitted with an “H” shaped gantry forward at the break of the forecastle together with two derricks, one port and one starboard. The fishing gear, consisting of poles, bridles, chains and dredges, once inboard, is stored on the deck parallel to the bulwark on top of the steel deck protection plates. Scuppers are fitted in the bulwark, forward to aft, over the length of the working deck. They are installed at every other frame space, the scupper doors being either a horizontally rotating centrally-hinged type, or a straight lift-out type (**Figure 4**). The centrally-hinged type can be removed by lifting the complete door out of the hinge supports. This leaves a clear opening in the bulwark of about 580mm x 420mm (about 23” x 16½”).

Access to the fish room below the main deck is via two steel hatches fitted on the centre line of the open working deck forward. The working open deck forward is clearly visible from the wheelhouse, but the side working areas and accesses can only be clearly seen by moving aft out of the wheelhouse and on to the open wheelhouse deck.

Figure 4



View of scupper doors in position

1.6 THE WEATHER

The skippers of both *Van Dijck* and *Geeske* recorded the state of the weather at the time of the incident as:

Force	4 to 5
Direction	North west
Sea State	Slight
Sea Swell	very low
Visibility	10 mile +

The weather recorded by St Peter Port Radio (CIRC North) Guernsey, was

Force	4 to 5
Direction	West north west
Sea State	Moderate

The differences in the recorded sea state can be put down to local variations and the changing conditions as the day progressed.

1.7 CREW ENGAGEMENT & FISHING OPERATIONS

1.7.1 In common with other fishing vessel owners in the area, McLeod Trawlers approach to manning is to appoint a skipper to a particular boat, usually on a self-employed basis, and leave him to arrange the engagement of the necessary crew. The owner's only involvement in crewing is to advise the skipper about any individual they consider should not be employed on their vessels. Beyond that, the choice is left to the skipper. No specific instruction is given on the employment of crew who do not possess the appropriate mandatory safety qualifications.

The normal procedure is for the skipper to use his own local contacts to recruit the majority of crew members. The skipper interviews unknown individuals who are joining the vessel for the first time, and assesses their experience, qualifications and knowledge of beam dredging. If the crew member is new to the industry, or is unfamiliar with scallop dredging, a copy of a paper giving a detailed and explicit description of the fishing operation, is given to the individual to study and keep (**see Annex 2**). Being aware of his duty of care to the individual, the skipper will then decide which watch, and with whom, the new crew member will work. This decision will normally be based on the individual's experience and age. In the case of young people, the newcomer is usually placed on the skipper's watch, who can then assess his aptitude and capability. This system also allows the skipper to ensure that the work undertaken under his supervision is both safe and being carried out correctly.

1.7.2 It is required under the *Fishing Vessels (Safety Training) Regulations 1989* that no person shall be employed or engaged on a fishing vessel registered in the United Kingdom unless they have undergone an approved training course in each of the following subjects:

- (a) basic survival at sea
- (b) basic fire-fighting and prevention, and
- (c) basic first-aid.

Under these same regulations, every working fisherman born after 1 March 1954 is required to have attended the approved training course by 1 March 1993. After this date, all new entrants must have attended these training courses before they were allowed to enter the industry and go to sea.

1.7.3 Furthermore, in the case of young persons (under 18 years of age) the *Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Employment of Young Persons) Regulations 1998*, requires that:

..no young person shall be engaged as a worker in any capacity in a ship unless there has been delivered to the master of the ship a certificate granted by a duly qualified medical practitioner certifying that the young person is fit to be engaged in that capacity.

1.7.4 As a trainee fisherman on *Van Dijck*, Francis Sharpe had started his fishing experience under the direct eye of the skipper. He had been placed on watch with another young fisherman with a year's experience, and who was familiar with scallop dredging. During the short period he was on the vessel, Francis Sharpe had been kept well clear of the winching operations, with the skipper personally helping and showing him how to empty the dredges. He had been shown, by both the skipper and the other young fisherman on his watch, what to look for in the dredge debris and how to sort and stow the recovered scallops in a basket before carrying it forward to place it in the fish room.

He had also been shown how to wedge the hinged scuppers in the partially open position so that once the scallops had been removed from the dredge debris, the remaining debris could be pushed or kicked overboard. This latter duty was done unsupervised as it was carried out within a safe area of the deck, and no skill or great experience was required.

SECTION 2 - ANALYSIS

2.1 RELIABILITY OF WITNESSES AND OTHER EVIDENCE

During this investigation the owners of the vessel, the skipper of *Van Dijck* and his crew members were open and frank in their discussions and assisted as and when required.

Declarations were given willingly, with background information on the operation of the vessel and the relationships between individual crew members, freely discussed. The available evidence regarding the fishing operation, and Francis Sharpe's involvement in work routines, is in line with standard industry practice.

2.2 LOSS OVERBOARD - COMMENTS & THEORIES

2.2.1 Neither the skipper in the wheelhouse, nor the other deckhand working on the starboard side, saw or heard Francis Sharpe fall overboard. All the off-watch crew were asleep in the accommodation at the time and were, therefore, not in a position to see or comment on the circumstances of the loss overboard. Although Francis could swim, and the alarm was raised within 15 minutes or so of his disappearance, his slight build, together with the difficulties imposed by his oilskins and sea boots, restricted his survival time.

The other deckhand on watch with Francis was carrying out similar duties of sorting dredge debris, but was on the starboard side of the vessel. Although he was aware that Francis was working on the port side of *Van Dijck* and slowly moving from aft forward, he had no direct sight or contact with him except when Francis came forward to empty his basket of scallops into the hold. He was aware of Francis working by the occasional noises of sorting out scallops and the pushing of debris over the side. It was only when he had not heard any noises for some minutes that he decided to see if Francis was all right. Even then, his only thought was that Francis had gone to the toilet and would be back at work in a few minutes.

2.2.2 The area in which Francis was working was similar to that being worked by the other deckhand. The dredge debris is tipped out of the individual dredges on to the deck, close to the bulwark. Once tipped out, the debris, about 50cm high, tends to spread inboard from the bulwark to the side of the accommodation in a natural angle of repose. The height of the bulwark is in the order of 100cm. To enable the sorting and bagging operation to be carried out safely, a fore-and-aft walking space is first cleared close to the accommodation bulkhead. Once the space has been cleared, work starts on sorting the debris.

During the last two periods when Francis was engaged in sorting the debris, the scupper doors were all left in place, just wedged three-quarters open as he had been shown. When it was realised that Francis was missing, the search showed that one of the scupper doors had been removed. None of the crew recall seeing Francis removing the doors or finding the doors removed before this

watch. His reasoning for doing so must be speculative. He had been told to seek help or advice if he found any unusual or difficult items among the dredge debris. The fact that the scupper door had been carefully stowed in the adjacent frame space indicates that the removal was deliberate, and that he had cleared the space for a particular reason. Had he found a particularly large or heavy object in the debris, he had three choices: call for help, lift it over the side, or attempt to push it through the three-quarters open scupper.

- 2.2.3 If it is accepted that he had found a particularly large and heavy object in the debris, it can be assumed that he had dismissed the idea of calling for help as he had carefully removed a scupper door. The intention, presumably, was to allow him to push the object overboard through the large hole in the bulwark where the scupper door had been. With the door removed, he could slide the object along the deck until it was opposite the opening, before using his feet to push it overboard. A heavy object would have required him to use both feet to push, while hanging on to the top surface of the bulwark. A combination of a damp deck, small stones/mud acting as a lubricant, and an extra hard push with both feet, could have resulted in a sudden movement, loss of control and his inability to prevent himself following the object overboard. A bang on the head as he slipped would have prevented him from crying out as he went.
- 2.2.4 An alternative scenario could be that although having removed the door, he found the object still too bulky to go through the opening. He therefore decided that rather than call for help he would tip it overboard himself. Being of slight build, he might have found the object too heavy to lift easily over the bulwark, but if he used the pile of debris as a stepping stone, he would have been able to place it on the top of the bulwark before pushing or dropping it over the side. A slight movement of the vessel, or movement in the pile of debris underfoot, could have caused him to lose his balance, and he would have been over the side before he had time to shout out. With loose debris, there would have been no sign or marks to show where he had been standing for those few minutes.
- 2.2.5 Enquiries among Francis's contacts, both onboard and ashore, have indicated that he was looking forward to earning some money so that he could rent a flat for himself in Brixham. His early life had been spent in Brixham, but his parents had separated when he was about nine. He, together with his mother and the rest of the family, moved to Gloucester where he spent his early teenage years. Although not a "high-flyer", he enjoyed success at school in cross-country running, and left school at 16 with a number of GCSEs. He joined the army, but was found to be unfit for the rigours of army life. After a brief period as a labourer on a building site, he remained undecided as to what sort of work he should concentrate on. As a teenager, he had a rather boisterous approach to life and having been aware of the fishing industry during his early years, he decided to experience it himself; despite his mother's advice. During the short time that he had worked in the Brixham fishing industry, he had shown himself to be both industrious and keen to work. He had expressed no particular worries to anybody on board and did not show any apparent signs of depression. Based on this evidence, the possibility of suicide is dismissed.

2.3 EMPLOYMENT ISSUES

The engagement of crew on fishing vessels is an area of employment that, although subject to regulation, is often heavily influenced by local conditions, established practices, and family or traditional attitudes. In many cases, young potential fishermen ask for, and get, temporary employment on a vessel either as a stop-gap measure to earn some quick money, or to see if employment in the fishing industry would suit them as a full-time career. These casual employment periods are usually of short duration, say a week at the most, and usually when the vessel is reasonably close to the coast. These jobs are mostly viewed as “an extra hand” - can operate safely without, but it is useful if another pair of hands is available. Extra vigilance is necessary, as often the individual is untrained and inexperienced in the work required.

As mentioned earlier, no one, particularly those under 18, should be employed at sea unless they have undergone pre-sea training, possess the necessary safety certificates and can produce a certificate of fitness for sea service. Francis Sharpe had not attended a pre-sea training course, had no health certificate and should not have been offered employment. Although *Van Dijck* has a regular crew of five, scalloping is heavy work and a sixth member makes a significant difference. Fishing is not a very popular job and the local industry has difficulties in attracting and retaining fishermen. When Francis approached the skipper he said that he had sailed for about a month on a Brixham boat, *Blue Angel*. He also stated that he had spent some time with his father, who was the skipper of another Brixham boat, so asked for the chance to show that he could be a fisherman. Faced with the prospect of a volunteer fisherman, albeit with limited experience, the skipper, who knew the lad's father, decided to take him on. He did not, however, ask Francis if he had attended a pre-sea course.

The skipper's decision to accept Francis as a crew member, without checking to see if he had completed the pre-sea training courses, although wrong, was probably influenced by the timing of the request ie when he was busy preparing the vessel for a fishing trip the following day. Under these circumstances, and having been told that Francis had previously sailed on another local fishing boat, details such as this, although important, are likely to be missed. Other influences on that decision might well have been the reduction of the remainder of the crew's workload, sympathy for the lad's situation, and basic kindness to an individual striving to make his way in the world. As mentioned earlier, the company gives skippers no guidance on employment regulations; each skipper is assumed to be fully aware of the regulatory requirements.

The skipper's decision to take Francis on board as a crew member, although made in good faith and with good intentions, contravened the regulations, and illustrates the dilemma skippers face when presented with a volunteer in a situation which could help to reduce the workload on the existing crew, as well as helping the individual concerned.

2.4 TRAINING AND SUPERVISION

The fact that Francis Sharpe had not attended a pre-sea training course, and did not possess the appropriate certificates, is not thought to have been a significant factor in his loss overboard. His lack of experience, however, might have been a contributory factor.

The job in which he was engaged at the time of his disappearance, sorting the dredge debris, was considered safe as it was carried out in a protected area of the deck, did not require the use of knives, hooks etc, and was a purely manual operation. He had been shown the correct way of discharging the dredge debris overboard using the scuppers wedged in the three-quarters open position, and was aware that if he found anything overlarge or abnormal in the debris, then he should tell either the skipper or the other deckhand.

Francis had carried out the same type of operation quite safely during two previous watches, and had started on the third, apparently following the method taught to him during those preceding watches. Why Francis decided that, rather than wedge the hinged scupper in an open position, he would lift the entire scupper out of its hinges and leave it standing on deck by the next frame, is not known. Two possible reasons have been stated earlier, but these are pure conjecture. By removing the scupper, he left a clear opening in the bulwark of about 580mm x 420mm (about 23" x 16.5"). That action, although possibly carried out to make it easier to push debris overboard, exposed him to an increased risk of an accident. With the benefit of experience, that action would either not have been taken, or he would have talked to either the skipper or the other deckhand first.

Francis was not directly in the sight of either the skipper, or the other deckhand. However, the skipper had checked on Francis at around midnight. The deckhand also monitored Francis at various intervals, either visually - when he or Francis went forward to the hold - or aurally by the sound of his working.

At the time of his disappearance, Francis was wearing the standard fishing gear while on deck, yellow oilskins and sea boots. With the weather reasonable and only a slight sea running, lifejackets were not being worn. This is not unusual. There is a general attitude in the fishing industry that lifejackets are inconvenient to wear when working and they are only donned when weather conditions are bad. In this case, the weather conditions prevalent at the time that Francis went missing, were good. Lifejackets were readily available in the accommodation, but it is unlikely that Francis would have considered wearing one unless the remainder of the crew did.

2.5 RESCUE SERVICES

The States of Guernsey, St Peter Port Radio, and vessels in the immediate area, responded immediately and positively to the “Pan Pan” call. *Geeske*, another McLeod vessel which was fishing about half a mile behind *Van Dijck*, lifted her gear immediately and joined the search. At the same time, *Alison Louise*, another Brixham vessel which was fishing about 5 miles away was asked to help. She, together with the other two fishing vessels, started a search of the area under the general direction of St Peter Port Radio. A Russian tug also assisted in the search. The combined sea search was carried out thoroughly and strictly to a search pattern instigated by St Peter Port Radio.

The voluntary organisation, Channel Island Air Search, based in Guernsey, was asked to assist by CIRC North (St Peter Port Radio) and provided a thorough air search of the area again under the general direction of St Peter Port Radio. Communication between all parties was maintained, with essential and accurate information passed from St Peter Port Radio to the search parties throughout the official search period.

Every effort was made by both ships and aircraft in the region to effect a rescue, but despite this very professional search, Francis Sharpe’s body was not found.

SECTION 3 - CONCLUSIONS

3.1 FINDINGS

1. The cause of Francis Sharpe's loss overboard cannot be established with any degree of certainty. He was known to be working on deck, port side, at around midnight and was found to be missing at around 0005. Whether he fell overboard via the bulwark, or slid through the open space of the scupper, is not known and must remain speculative.
2. Neither the skipper in the wheelhouse, nor the other deckhand working on the starboard side, saw or heard Francis Sharpe fall overboard. All the off-watch crew were asleep in the accommodation at the time and, therefore, were not in a position to see or comment on the circumstances of the loss overboard.
[Ref: 2.2.1]
3. During the last two periods when Francis was engaged in sorting the debris, all the scupper doors were left in place, just wedged three-quarters open as he had been shown. When it was realised that Francis was missing, the search showed that one of the scupper doors had been removed. The fact that the scupper door had been carefully stowed in the adjacent frame space indicates that the removal was deliberate and that he had cleared the space for a particular reason.
[Ref: 2.2.2]
4. It is required under the *Fishing Vessels (Safety Training) Regulations 1989* that no person shall be employed or engaged on a fishing vessel registered in the United Kingdom unless they have undergone an approved training course in each of the following subjects:
 - (a) basic survival at sea
 - (b) basic fire-fighting and prevention, and
 - (c) basic first-aid.

Francis Sharpe had received no pre-sea training and was not asked if he had.
[Ref: 1.7.2 & 2.3.1]

5. In the case of young persons (under 18 years of age) the *Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Employment of Young Persons) Regulations 1998*, requires that

..no young person shall be engaged as a worker in any capacity in a ship unless there has been delivered to the master of the ship a certificate granted by a duly qualified medical practitioner certifying that the young person is fit to be engaged in that capacity.

Francis Sharpe was under 18 and did not, nor was asked, to produce a certificate stating that he was fit for sea service.
[Ref: 1.7.3 & 2.3.1]

6. Francis was not directly in the sight of either the skipper or the other deckhand. However, the skipper checked on Francis at around midnight. The deckhand monitored Francis at various intervals, either visually - when he or Francis went forward to the hold - or aurally by the sound of his working.
[Ref: 2.4]
7. The working open deck forward is clearly visible from the wheelhouse, but the side working areas and accesses can only be clearly seen by moving aft out of the wheelhouse and on to the open wheelhouse deck.
[Ref: 1.5.2]
8. Given Francis's inexperience, the skipper always came down to help him empty the dredges on the port side, while Mark worked alone on the starboard side.
[Ref: 1.3.2]
9. The job in which he was engaged at the time of his disappearance, sorting the dredge debris, was considered safe as it was carried out in a protected area of the deck, did not require the use of knives, hooks etc, and was a purely manual operation. He had been shown the correct way of discharging the dredge debris overboard using the scuppers wedged in the three-quarters open position, and was aware that if he found anything overlarge or abnormal in the debris, then he should tell either the skipper or the other deckhand.
[Ref: 2.4]
10. The fact that Francis Sharpe had not attended pre-sea training, and did not possess the appropriate certificates, is not thought to have been a significant factor in his loss overboard. His lack of experience, however, might have been a contributory factor.
[Ref: 2.4]
11. During the short time that he had worked in the Brixham fishing industry, he had shown himself to be both industrious and keen to work. He had expressed no particular worries to anybody on board, and did not show any apparent signs of depression. Based on this evidence, the possibility of suicide is dismissed.
[Ref: 2.2.5]
12. At the time of his disappearance, Francis was wearing the standard fishing gear while on deck, yellow oilskins and sea boots. Because the weather was reasonable and only a slight sea was running, lifejackets were not being worn.
[Ref: 2.4]

SECTION 4 - RECOMMENDATIONS

McLeod Trawlers, of Brixham, South Devon is recommended to:

1. Ensure that all skippers employed on its vessels are aware of, and comply with, the *Fishing Vessels (Safety Training) Regulations 1989* and the *Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Employment of Young Persons) Regulations 1998*.
2. Consider fitting a locking device on removable scuppers to prevent un-authorised removal.

SECTION 5

During the period immediately before this accident, the Fishing Industry and the Government had been engaged in discussions regarding safety training. These discussions tried to address the many concerns of the industry, not only in relation to safety training for existing fishermen, but also to potential new entrants. As this report concerns the loss of an inexperienced young lad, the following extracts emphasise with what, from April 1, 2001, all new entrants must comply before going to sea. Any loss of life is to be regretted, but doubly so when the person was so young.

GOVERNMENT FUNDED SAFETY COURSES FOR FISHERMEN

The Government has recently reviewed the Fishing Vessel safety equipment grant scheme and decided that training and education can be a more effective medium of saving lives than putting more equipment on board a vessel

They have therefore introduced a scheme funding free places for fishermen on safety training courses. These courses will be free and voluntary for an initial period of 12 months, starting from April 1, 2001. From April 2002 the courses remain free but are mandatory for a further period of 24 months.

Amongst the training courses, will be a number specifically designed for new entrants to the industry. This Safety Training for new entrants will consist of instruction in:

- *Personal survival techniques*
- *Fire prevention and fire fighting*
- *Elementary first aid*
- *Personal safety and social responsibility (basic health & safety training)*

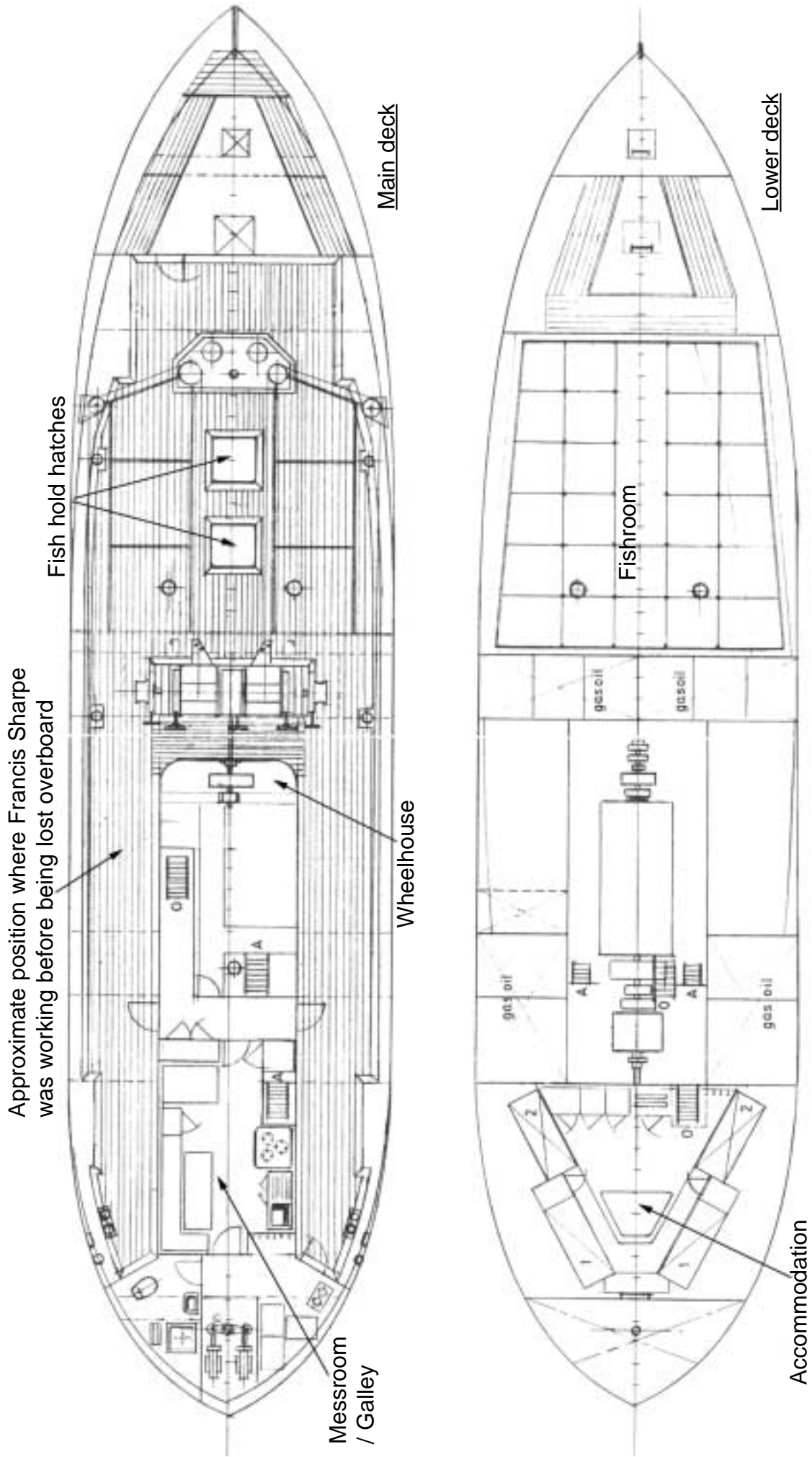
These four subjects will be, as far as possible, of a practical nature and each covered in a one-day course approved by MCA.

To reflect problems encountered with drop out rates of new entrants to the fishing industry, there will be a requirement that all new entrants must attend the one day Personal Survival Techniques course prior to going to sea for the first time. The other three safety training course that make up the training package for new entrants must be completed within three months of the entrants start date.

A new entrant is defined as a person who for the first time is gainfully employed or engaged as a crewmember on a fishing vessel registered in the United Kingdom. This means that only those persons who are on a registered fishing vessel, and thus required to perform appropriate duties on board, are covered by the proposed regulations. It is important to note that there is no lower limit to the size of vessels to which the regulations apply and that they are applicable to fishermen serving in all capacities on all registered fishing vessels.

Sea Fish Industry will be providing these courses in their role as National Training Organisation via the group training Associations (GTA). Any enquiries about these courses and their availability should be directed at your local GTA.

**Marine Accident Investigation Branch
October 2001**



Plan of Van Dijck

INSTRUCTIONS TO ALL SKIPPERS AND MATES

- 1) The vessel is at all times to be operated on a professional, safety first, basis!
- 2) Navigational procedures are to be performed strictly adhering to the rules of the road, as laid down by the International Maritime Organization.
- 3) Winch operations must only be undertaken AFTER Deckhands have been informed of impending movements AND they agree it is safe to do so!!
- 4) The winch MUST NOT be used unless an experienced Deckhand is in a position to witness the safe operation, ie. he can see the deck is clear of crew and/or obstructions.
- 5) Any safety concerns regarding the safe operation of the vessel should be taken up with myself or Captain McLeod at the earliest opportunity.

**A.D.McLEOD
General Manager
McLEOD TRAWLERS**

Fishing Operations

At all times, you should listen carefully to instructions given you by the skipper or mate. If you are unsure, or have not heard properly, ask again what is required of you. Better to be told twice than to risk injury by doing the wrong thing at the wrong time.

Before fishing operations start, you should don your oilskins, hard hat and working lifejacket. (These are supplied – if you do not have one, ask for one.) You should get on deck and get some fresh air in good time before the fishing gear has to be handled. External doors are to be kept closed at sea! Sitting in a warm galley can make you drowsy, particularly in bad weather when the boat is battened down.

Before the fishing gear arrives at the surface, the deck should be checked and cleared of any obstructions. Ropes and chains to be used in the gear emptying procedure should be made ready. When everything is prepared, you should stand beneath the gantry legs at the after end of the whaleback until the gear is alongside and the derricks are fully topped up. Ropes and chains can now be put into position (the skipper/mate will advise), then return beneath the whaleback until the gear is pulled tight on the chains. This is the safest place to stand during lifting operations as, in the unlikely event of something falling from aloft, you have a layer of steel over your head for protection.

When the gear is pulled tight and the skipper/mate indicates that it is safe to do so, you should make your way to the appropriate drum end and using the pulling-down rope, you should pull the gear inboard a small amount and make it fast on a cleat to stop it from swinging outboard whilst you are checking it, thereby reducing risk of injury. A check can now be made of the dredges, i.e. remove any debris from the tooth bars, look for broken springs, missing shackles, etc. After inspection, one man returns to the drum end and the other stands in a protected position under the whaleback where he can see the entire set of gear to be lowered. The skipper/mate then asks the deckhand if the deck is clear. If the reply is "Clear", the deckhand working the drum end on the opposite side of the boat pulls the gear across the deck as the skipper/mate lowers it. Once the poles and bridles are on the deck, the emptying process, by means of a tipping hook, takes place. You will be advised of the exact procedure by the skipper/mate.

Once empty, ropes at either end of the gear need to be slackened, and hooks and chains removed. If a hook cannot be removed with the gear on the deck, the skipper/mate will lift the bridles to make access easier. WAIT until he signals that it is safe to approach the gear before you continue. The gear will then be lifted overboard and the derricks lowered. At this time, the forward tailing should be let go. The skipper/mate will then bring the boat round to the direction he wants to shoot away in – when the fishing gear straightens out, he will tell you to let the after tailing go. Now the derricks will be lowered, the main warp paid out and fishing re-commences.

These are the standard procedures for hauling and shooting. Occasionally, however, this will not be possible due to a large piece of debris on the gear, for example. If something unusual does happen, then listen carefully to instructions passed down from the wheelhouse. If you see something unusual hanging off the fishing gear, inform the wheelhouse immediately in case they are unaware of it.