

Increase in stowaway incidents



Photo courtesy of Zululand Observer

Since the introduction of the ISPS Code in 2004, the number of stowaway repatriation claims handled each policy year by The London P&I Club had been steadily reducing.

However, this welcome trend came to an end in 2008 when there was an increase in the number of stowaways found on board ships entered with the Club which, of course, resulted in greater costs to the Club and its members.

Although the increased number of cases is not obviously associated with any particular country or nationality, the 2008 incidents included two occasions on which stowaways from Lagos, Nigeria were found hiding in rudder trunks. In both cases, the stowaways were discovered and detained as they descended from their hiding places at the ship's next port of call. Presumably,

the men gained access to those hiding places having come under the stern in a small boat.

The most remarkable aspect of these cases is that the men survived the sea passage. Almost certainly there are cases where stowaways hide in a rudder trunk only to perish at sea without the crew ever being aware of their presence. The willingness of stowaways to use such a dangerous hiding place appears to have taken the crew in each recent case by surprise.

Company and ship security officers are therefore reminded that their risk assessments should include a review of the dimensions of the rudder trunk. If stowaway access is achievable, then members should consider whether it is possible to retrofit a metal grill to prevent entry and to conduct searches of the area prior to departure from port.

Compelling evidence

In two collisions reviewed recently by the Club, casualty investigators have been unable to access information contained in the ships' Voyage Data Recorders (VDRs). In one case, the ship was met by investigators upon arrival in port following the casualty, but the information stored on the VDR had already been overwritten. The company incident response plan made no reference to saving the information stored on the VDR, and the absence of the VDR download impacted on the handling of the claims arising from the collision because the witness evidence from the colliding ships was contradictory.

In the second case, the master followed the owner's incident response plan, which included an instruction to save the information on the Simplified-VDR. But he was uncertain about the correct procedure and left the task to the casualty investigators, unaware that the S-VDR would overwrite the data before the investigators arrived. Members are reminded that, under the IMO Guidelines on VDR Ownership and Recovery, owners are responsible, through their onboard standing orders, for ensuring the timely preservation of evidence, and that example incident response plans are contained in the International Chamber of Shipping Bridge Procedures Guide. Moreover, owners' procedures should ensure that the ships' officers are sufficiently familiar with the equipment to be able to carry out the appropriate post-incident response.

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Collision risk at anchorage



The ongoing analysis of claims handled by the Club has highlighted the number of collisions that arise in anchorages, particularly those that are subject to strong currents or tidal flow.

A typical case involves a ship manoeuvring at slow speed which is set down upon an anchored vessel. The Club has assisted members in several incidents on behalf of both anchored and colliding ships. Often a collision occurs when a ship is in the process of dropping anchor. The Club's analysis of these incidents often suggests that the bridge team on the moving ship was fully aware of a strong cross-current but failed to appreciate that a steady current would have a greater impact upon the ship's track as its speed reduced. Moreover, opportunities to monitor cross-track error by parallel indexes were often missed. Other incidents involve contact after

a ship drags anchor. In some cases, the bridge team had misjudged how

little time would be available to arrest the ship's movement if the anchor dragged given the close proximity of other anchored ships. Occasionally, the risk of collision was increased by a failure to monitor the ship's position carefully. In more than one case, the colliding ship appears to have realised that it was dragging towards another ship only when that ship made VHF contact. Again, the radar could have provided early warning of the danger had an appropriate guard ring been set up. Many of the incidents reviewed by the Club precede the recent market difficulties which have led to a significant increase in the number of ships at anchor off busy ports. The greater risk associated with increased congestion reinforces the need for bridge teams to follow best practice in passage planning and watch-keeping.

Means of controlling safe access

The Club has seen several recent claims which underline the importance of exercising control over shipside means of access, and illustrate how 'time pressures' can sometimes result in individuals making unfortunate decisions in this crucial area.

In one case, a pilot was extremely lucky to escape without serious injury when he fell from the pilot ladder of an outward-bound ship.

The pilot was talking to an inward-bound ship by walkie-talkie as he stepped onto a pilot ladder that was still in the process of being rigged. The pilot suffered only minor injuries when the ladder slipped and he fell onto the pilot boat. In another incident, an agent sustained ankle

injuries as he tried to board a ship. The accommodation ladder had just been landed on the quayside and the crew were in the process of lifting the handrails into place and rigging the safety net when he attempted to use it. He tripped and fell onto the quayside, and was fortunate not to fall between the ship and the quay.

In each case the supervising officer was caught by surprise by someone making an ill-judged attempt to use a part-rigged ladder.

Members are reminded of the need to control the area around shipside ladders and gangways to ensure that no-one is able to attempt to embark or disembark until the responsible officer is satisfied that it is safe to do so.



Beware on-deck carriage liabilities



The Club has recently reviewed several cases involving carriage of deck cargoes, which have highlighted a range of operational and coverage issues. Although carriers are often able to exclude liability for loss of or damage to deck cargo, there have been cases in which they have nevertheless been asked to plan and execute the securing on deck of large and heavy units.

On one occasion a member was concerned that the crew would benefit from assistance in applying the principles set out in the IMO Code of Safe Practice for Cargo Stowage and Securing and the ship's Cargo Securing Manual. In addition to referring the member to *Lashing and Securing of Deck Cargoes*, published by the Nautical Institute, the Club was able to suggest a consultant experienced in 'project cargo' sea-lashing plans. In another

case in which valuable deck cargo was badly damaged in heavy weather, the owner had issued a bill that did not seek to exclude the carrier's liability for any loss of or damage to the deck cargo. Apparently, that owner had been unaware that the failure to exclude liability potentially prejudiced Club cover and was also not aware that market insurance would have been available in respect of any liabilities that fell outside P&I.

The Club should be able to help members identify useful technical guidance or expertise in the event of questions arising over cargo lashing. And members should not hesitate to approach their usual Club contact or to seek assistance via stoploss@londonpandi.com should any clarification be required of the insurance implications arising from the ondeck carriage of cargo.

Diving dangers

The recent UK Marine Accident Investigation Branch (MAIB) report on an accident during dive operations from the self-propelled crane barge *Norma* highlighted safety issues which are consistent with the Club's analysis of incidents involving divers.

In most cases, ship staff comply with established dive company procedures to ensure that divers are not put in danger by, for example, unauthorised use of propellers, bow thrusters or anchors. But particular problems can arise when the dive company procedures are incomplete, as ships' officers will not necessarily appreciate what dangers are faced by divers and what preventative actions are necessary to minimise risk. In two recent incidents, cursory risk assessments by divers sent to conduct underwater inspections demonstrated that they were 'recreational' divers unfamiliar with ship operations. In one case a local diver was retained by an agent to assist with the recovery of a crane grab that had fallen between the ship and a lightering barge. The master refused to sign the 'permit to dive' because the diver had made no attempt to ensure that barge and cargo operations would not be resumed while he was in the water. Even then, the master sought external assistance because he was not satisfied that all material risks had been addressed.

Guidance on the dangers to divers and risk management actions required by the ship is not readily available to owners. The Club welcomes the MAIB recommendation that bodies from the shipping and diving industries develop and promulgate best-practice guidelines. (www.maib.gov.uk)



THE LONDON
P & I CLUB

Tell us about your background and the company you work for:

"I joined Omur Marine in 1999 and since 2007 I have been its Managing Director. Omur Marine was set up thirty years ago and is now one of the leading P&I correspondents in Turkey. We employ around 25 people, including our own ship surveyors in our branch offices, and many expert lawyers. We have a young and dynamic team and pride ourselves on being prompt."

Tell us about working in the shipping industry in Turkey:

"The Turkish shipping industry has grown rapidly during the last few years. Turkey is situated at a key geographical point for maritime trade and we assist P&I clubs in every port. We have several branch offices in Izmir, Iskenderun and Mersin, and also at Varna in Bulgaria. Our HQ is in Istanbul.

"In the ports around Istanbul the trade is mostly dry cargo vessels, and the straits in the area are very busy. It is also a very active shipbuilding area. Izmit Bay is near to Istanbul and hence there are a lot of factories and refineries, with more than forty terminals in the bay. Roughly 15,000 ships visit this bay each year. There are some interesting changes taking place in Turkish shipping at the moment, including the plan to privatise all government-run ports. Most recently there has been investment at Derince, resulting in

*From Our
Correspondent*

The third in a series of interviews looking at the work of The London P & I Club correspondents and the regions in which they operate



*AHMET CAN BOZKURT,
Omur Marine Ltd
Istanbul, Turkey*

many changes and in an improvement in the quality and capacity of the port. A new rail tunnel is being built under the Bosphorus Strait. This means that ships can only go one way - twelve hours in one direction and twelve in the other. Waiting times at the entrance have therefore increased, as has the risk of collisions and congestion, albeit only temporarily. The ports in Iskenderun deal with more than 5,000 ships of many different types each year, and are also the collection point for pipelines from Iraq and Azerbaijan. More than 100 million tonnes of oil products are handled from these ports each year. Our branch office in

Mersin focuses on the big container terminal there. This was recently privatised under a Turkish-Singaporean joint venture, with a resultant improvement in quality."

Do owners face any common or particular problems in your area?

"There is no legal requirement to have a pilot on board in the straits in the Istanbul area, but the Turkish Government always advises that ships should carry a pilot. A new traffic system is in operation, which is helping to reduce the number of collisions."

Tell us about the P&I work you do:

"We deal with all types of P&I claims, and also with condition surveys for all types of ships. We work particularly closely with the clubs and their members on crew claims in order to get the best results possible before the courts. Turkish environmental law is very strict, and the fines heavy and related not to the amount of pollution, but to the size of the ship."

Working with The London P & I Club:

"We have a long-standing and close relationship with the London Club. But not everybody in Turkey fully understands the concept of P&I. They tend not to accept club letters and are familiar only with bank letters. This means that the reputation of the clubs is extremely important. Fortunately, The London P&I Club has a very good reputation."

PUBLISHED

on behalf of The London Steam -Ship Owners' Mutual Insurance Association by A. Bilbrough & Co. Ltd.,
50 Lemn Street, London E1 8HQ, UK.
Tel: +44 (0) 20 7772 8000
Fax: +44 (0) 20 7772 8200
E-mail: stoploss@londonpandi.com
www.londonpandi.com

EDITED BY

Chris Hewer,
Merlin Corporate Communications,
5A Downview Road,
Worthing,
West Sussex BN11 4QR, UK
Tel: +44 (0) 190 350 2050
Fax: +44 (0) 190 350 0272
E-mail: wizard@merlinco.com

PRINTED BY

Stuart Vaux Associates,
Chiltern Lodge,
38 Clifton Road,
Amersham,
Buckinghamshire
HP6 5PP, UK.
Tel: +44 (0) 1494 726593
E-mail: sbv@talktalk.net